



THE
ROMAN
HISTORY,



FROM THE
Building of *Rome* to the Ruin
of the *Commonwealth*.



Illustrated with MAPS and other Plates.

VOL. I.

By N. HOOKE, Esq;

The FIFTH EDITION.

L O N D O N :

Printed for G. HAWKINS, W. STRAHAN, J. and F. RIVINGTON,
R. BALDWIN, W. JOHNSTON, T. LONGMAN, and T. CADELL.

MDCCLXX.

Unlabeled
Also

25757

110 Library
24/12/99

T O

Alexander Pope, *Esq*;

S I R,

THE displaying your name at the head of these Sheets, is, I confess, like hanging out a splendid Sign to catch the Traveller's Eye, and entice him to make trial of the entertainment the place affords. But when I can write under my Sign, that Mr. POPE has been here, and was content, Who will question the goodness of the House?

You, see, SIR, and I had no desire to hide it, my interested view in this Epistle. Perhaps I should find it difficult, on such an occasion as the present, to address you in any terms, which might not be construed into Self-love, more or less refined. Will not this be the case, if I say, as with truth I can, that I was glad to seize the only opportunity I may

Epistle ~~D~~edicatory.

ever have of so publickly testifying my just Esteem for a worthy Friend, to whom I have been long and much obliged? Yet allow me to add, that I imagine I do give a Proof of that Esteem, when I inscribe to you this Attempt towards a History of Roman Virtue and Patriotism. No consideration, I hope, could engage me to it, if I were not persuaded that you really are, what your writings declare you to be, a Friend to Virtue, to your Country, and to the Liberties of Mankind.

I am with sincerity and affection,

S I R,

Your most Faithful

Humble Servant,

N. Hooke.

T H E

Roman History.

F I R S T B O O K.

T H E

REGAL STATE of ROME.

C H A P. I.

Of the Original of the *Romans*, and the Building of
Rome.

SECT. I. *The first Romans were of Trojan extraction.* §. II. *Æneas's voyage to Italy.* §. III. *The ancient inhabitants of that country.* §. IV. *Æneas's reception by Latinus, King of Latium. He marries Lavinia the daughter of Latinus, and builds Lavinium.* §. V. *He succeeds to the Kingdom of his father-in-law.* §. VI. *The death of Æneas, who is succeeded by his son Ascanius.* §. VII. *Ascanius founds Alba Longa, and yields Lavinium to Æneas Sylvius, the son of Æneas by Lavinia.* §. VIII. *The Latines upon the death of Ascanius unite Lavinium and Alba into one DOMINION, which they decree to Æneas Sylvius, but give the sovereign power in affairs of Religion to Iulus the son of Ascanius.* §. IX. *The succession of the Kings of Alba from Æneas Sylvius to Amulius, who dethrones his elder brother Numitor.* §. X. *The birth, education, and adventures of Romulus and Remus. They dethrone Amulius, and restore their Grandfather Numitor.* §. XI. *Numitor sends his two grandsons to plant a colony. They quarrel about the spot of ground where the new city shall stand. Remus is slain.* §. XII. *ROME is BUILT.* Bef. J. C. 753.

C H A P. II.

R O M U L U S.

§. I. *Romulus is chosen King of Rome.* §. II. *He puts on a robe of div- Y. of R. 1.
tification, and appoints 12 LICTORS to attend him.* §. III. *He divides his colony TRIBES.
into 3 TRIBES, and these into 30 Curiae.* §. IV. *He distinguishes the people CURIÆ.
into*

- Patrons. *into PATRICIANS and PLEBEIANS, PATRONS and CLIENTS.* §. V. *He constitutes a SENATE.* §. VI. *He appoints himself a guard of 300. horsemen called Celeres.* §. VII. *He settles the respective prerogatives of the King, Senate, and People.* §. VIII. *The religious laws of Romulus.* §. IX. *His civil laws.* §. X. *To augment his colony, he opens an Asylum for fugitive slaves and out-laws.* XI. *The rape of the Sabine women.* §. XII. *The Sabines endeavour to recover their women by a treaty. In the mean time Romulus defeats the Cœninenſes, ſlays Acron their King in ſingle combat, and decrees* TRIUMPH. *himſelf a TRIUMPH for his victory. He reduces Crustuminiſm and Antemnæ, and gains other advantages.* §. XIII. *Romulus's war with the Sabines.* §. XIV. *He concludes a peace with them, and admits Titus Tatius, their King, to be his partner on the throne. The followers of Tatius are transported to Rome, and become one people with the Romans.* §. XV. *Tatius creates 100 new Senators choſen out of the Sabines. The creation of the Sabine Senators.* KNIGHTS. *ſt R O M A N K N I G H T S.* *The feſtival of the MATRONALIA inſtituted.* §. XVI. *The death of Tatius.* §. XVII. *Romulus defeats the Camerini, Fidenates, and Veientes. He renounces the kingdom of Alba upon the death of Numitor.* §. XVIII. *The murder of Romulus by the Senate, and the artifice of Julius Proculus to appeaſe the people.* Y. of R. 16, 37 or 39.

C H A P. III.

N U M A.

- Interregnum. §. I. *The death of Romulus is followed by an Interregnum. A deſcription of that ſort of government. The people grow weary of it; whereupon it is unaniſmouſly reſolved to choſe a KING.* §. II. *The character of Numa Pompilius, a Sabine philoſopher.* §. III. *He is elected to ſucceed Romulus; but is with difficulty perſuaded to accept of the kingdom. He conſults the will of the Gods by augury.* §. IV. *Numa is no ſooner upon the throne, than he applies himſelf to quiet the diſſentions at Rome, and to moderate the warlike ardor of the Romans by the impreſſions of Religion.* §. V. *He divides the miniſters of Religion into eight claſſes. The Curiones, Flamines, Celeres, Augurs.* §. VI. *Veſtals.* §. VII. *Salii.* §. VIII. *Feciales.* §. IX. *Pontifices.* §. X. *He directs an eſpecial reverence to be paid to the God Janus; and makes a Goddeſs of Bona Fides.* §. XI. *He introduces a new ſort of Gods, called Termini or Boundaries.* §. XII. *He amends ſome of Romulus's laws; and makes new ones.* §. XIII. *He ſends away the idle ſoldiery to cultivate the lands conquered by Romulus.* §. XIV. *He diſtributes the citizens into diſtinct companies, according to their trades.* §. XV. *He reforms the calendar.* §. XVI. *Numa dies, and his books are buried with him.* 40. 32.

C H A P. IV.

TULLUS HOSTILIUS.

33. §. I. *Tullus Hoſtilius, a man of a generous and martial diſpoſition, is elected by the Romans to ſucceed Numa.* §. II. *The rivalryſhip between Rome and Alba*

Book I. CONTENTS.

iii

Alba for superiority. §. III. *The dispute is decided by the famous combat between the three Horatii and the three Curiatii, in which the latter are all slain, and two of the former.* §. IV. *The surviving Horatius, returning to the city, in triumph, slays his own sister, for reproaching him with the death of her lover. He is tried by the Duumviri, and condemned to die. He appeals to the People, and they mitigate the sentence.* §. V. *Tullus, in conjunction with the Albans, engages in a war against the Veientes, and defeats them. The treachery of the Albans. Tullus demolishes Alba, and transplants the inhabitants to Rome.* §. VI. *He vanquishes the Fidenates, Sabines, and Latines; and institutes the Saturnalia.* §. VII. *In his old age, he falls into superstition, and studies magick. He is assassinated in his own palace.*

Horatii
and Curiatii.

APPEAL
to the
PEOPLE.

Alba de-
stroyed.

113.

CHAPTER V.

ANCUS MARCIUS.

§. I. *Ancus Marcius, the grandson of Numa, is chosen to succeed Tullus Hostilius. He declares war against the Latines in all the forms prescribed by Numa. He vanquishes the enemy in several battles, and takes many of their towns.* §. II. *He strengthens Rome by new fortifications, and builds Ostia at the mouth of the Tiber. He defeats the Fidenates, Sabines, Veientes, and Volsci.* §. III. *He dies, leaving two sons under the tuition of Lucius Tarquinius, a foreigner from Hetruria, who had settled at Rome.*

114.

Ostia
built.

119.

CHAPTER VI.

TARQUINIUS PRISCUS.

§. I. *The politick management of Tarquinius to obtain the kingdom. He is elected King, and adds to the Senate 100 new Senators chosen out of the Plebeians.* §. II. *The Latines renew the war against the Romans. Tarquin, by repeated victories over them, reduces them to sue for peace. At his return to Rome, he builds a Circus for the Roman games.* §. III. *He totally subdues the 12 Lucumonies of Hetruria.* §. IV. *He applies himself to cleanse and beautify Rome.* §. V. *He renews the war with the Sabines. He increases the number of the Roman Knights. The adventure of Navius the Augur.* §. VI. *Tarquin subdues the Sabines.* §. VII. *He marks out the area of a temple to Jupiter, Juno, and Minerva, on the hill Tarpeius, afterwards called the Capitol.* §. VIII. *The sons of Ancus conspire the death of Tarquin. He is assassinated in his own palace. The stratagem of Queen Tanaquil, to secure the kingdom to her son-in-law, who takes possession of it, without being legally elected to the throne.*

100 Ple-
beians
brought
into the
Senate.

Navius,
Augur.

174.

CHAPTER VII.

SERVIUS TULLIUS.

• §. I. *The birth and education of Servius Tullius. The honours he pays to the Goddess Fortune upon his elevation to the Throne.* §. II. *The Patricians conspire*

A fourth
City-
Tribe.
Rustick
Tribe.
Comitia
by Centu-
ries.
The Cen-
sus and
Lustrum.

conspire to dispossess him. He gains the people to his interest, is legally elected King by the Curiae, and though the Senate refuses to confirm this election, keeps possession. §. III. Servius defeats the rebellious Hetururians. He enlarges Rome, and adds a fourth Tribe to the three old ones. He institutes the Compitalia in favour of slaves. He divides the Roman territory with its inhabitants into Tribes. He marries his two daughters to Lucius Tarquinius and Aruns, the grandsons of the late King. He subdues the Hetururians. §. IV. Servius divides the Roman citizens into six CLASSES, and these into CENTURIES. He institutes the CENSUS and the LUSTRUM, and coins money. §. V. He gives the LIBERTI or Freedmen the privilege of Roman Citizens. §. VI. He reforms the Regal Power, and executes a scheme for securing to the Romans the fidelity and friendship of the Latines and Sabines. §. VII. The wicked intrigues of Tarquin and the younger Tullia. Tarquin accuses the King of usurpation before the Senate. Servius pleads his cause there, but appeals to the People, and is by them confirmed on the throne. §. VIII. Tarquin regains the King's favour by submissions, but soon after causes him to be murdered, and usurps the kingdom.

19.

CHAP. VIII.

TARQUINIUS SUPERBUS.

Feriae La-
tinæ.

CIRCUS.

Sæbil's
Books.

LUCRE-
TIA.
CONSULS.
243.

§. I. The tyranny of Tarquin, who gets the surname of the PROUD. His haughty treatment of the Latine Deputies and treacherous contrivance to destroy Turnus Herdonius. §. II. The Latine association, and the institution of the FERIAE LATINÆ. Tarquin assisted by the Latines defeats the Volsci and subdues the Sabines. He finishes the COMMON SEWERS and CIRCUS MAXIMUS at Rome. §. III. His war with the people of Gabii, and the cruel stratagem whereby he becomes master of that city. §. IV. The adventure of the woman with the SÆBIL'S BOOKS. The rise of the written civil law. Tarquin builds the temple of JUPITER CAPITOLINUS. §. V. He sends two of his sons with Brutus to consult the oracle at Delphos. §. VI. The rape of LUCRETIA. The Tarquins are banished, and a COMMON-WEALTH established at Rome, under two CONSULS to be annually chosen.

SECOND BOOK.

From the establishment of the ROMAN COMMONWEALTH in the year of Rome 243, to the re-building of the City in 365, after the burning of it by the Gauls.

CHAP. I.

244. SECT. I. The state and condition of Rome on the abolition of the regal power. §. II. Tarquin prevails with the Magistrates of Tarquinii in Heturia to send an Embassy to Rome in his favour, with a letter from him

Book II. CONTENTS.

v

to the Roman People. §. III. *A second Embassy from the Tarquinienſes to the Romans. The Ambaſſadors engage ſome of the young Patricians in a plot againſt the new government. It is diſcovered by Vindicius a ſlave. Brutus condemns his own ſons to death and ſees the execution.* §. IV. *Collatinus is forced to abdicate the Conſulſhip; and Valerius is choſen to ſucceed him.* §. V. *Tarquin having ſtirred up the Tarquinienſes and Veientes to take arms in his cauſe, they come to a battle with the Romans, in which Brutus is ſlain.* §. VI. *The people entertain a jealouſy of Valerius's ambition, but ſoon after give him the name of Poplicola or Popular, on account of the laws he makes in their favour, to the diminution of the Conſular Authority. He creates two treaſurers with the title of QUÆSTORS.*

BRUTUS'S
ſeverity.

Lex Vale-
ria.

QUÆS-

CHAP. II.

§. I. *Poplicola is choſen Conſul a ſecond Time, and T. Lucretius appointed to be his Collegue. Porſena, King of Cluſium in Hetruria, ſends a threatening embaſſy to Rome. The Romans chuſe Poplicola Conſul a third time, and give him Horatius Pulvillus for a Collegue.* §. II. *Porſena in conjunction with ſome of the Latine ſtates, marches an army into the neighbourhood of Rome. The remarkable bravery of Horatius Cocles.* §. III. *The deſperate enterprize and wonderful reſolution of Mucius Sævola. Porſena intimidated by the courage of the Romans, deſiſts from his demand of having the baniſhed King reſtored. He makes a truce with the Romans, who refer it to his judgment, whether they ſhall reſtore to Tarquin his paternal eſtate or not. The adventure of Clælia during the pleadings. Porſena renounces the cauſe of Tarquin entirely, and makes a peace with the Romans.* §. IV. *The temple of Jupiter Capitolinus is conſecrated. Sp. Lartius and T. Herminius choſen Conſuls. The Romans ſhew their gratitude to Porſena.*

245.
Porſena.
246.

Horatius
Cocles.
Mucius
Sævola.

247.

CHAP. III.

§. I. *The Romans, in the Conſulſhip of M. Valerius, (brother of Poplicola,) and P. Poſthumius, make war againſt the Sabines, and twice defeat them.* §. II. *The Sabines unite in a national body againſt Rome, where Poplicola is choſen Conſul a fourth time. Appius Claudius leaves the Sabines and comes over to the Romans, with all his followers and dependants. The Sabines are again defeated.* §. III. *Poplicola dies. The Sabines upon his death take courage, and renew the war, in the Conſulſhip of P. Poſthumius and Menenius Agrippa, who obtain a ſignal victory over them.* §. IV. *An OVATION only is decreed to Poſthumius, but a Triumph to Menenius.* §. V. *The Sabines are ſubdued in the ſucceeding Conſulſhip of Sp. Caſſius and Opiter Virginius.*

248.

249.

APPUS
CLAUDI-
US.

250.

OVATION.

251.

CHAP. IV.

§. I. *The Latines (in the Conſulate of Poſthumius Cominius and T. Lartius) declare for King Tarquin againſt the new Republick; but, before they take the field, ſend an Embaſſy to Rome with propoſals for an accommodation.*

252.

253.

. II.

255. §. II. *A conspiracy is there formed by some of Tarquin's Emissaries, who accompany the Latine Ambassadors. The plot is discovered and prevented, by the Consuls Servius Sulpitius and Manius Tullius; and the Ambassadors are dismissed with a refusal of their demands.* §. III. *The Latines dispatch a second Embassy to Rome with offers of peace, upon new conditions; these are also rejected by the Senate. The Romans prepare for war: but when the Consuls Titus Lartius, and Q. Clœlius, would make the necessary levies, the poorer citizens refuse to serve.* §. IV. *The cruelty of their creditors is the cause of this mutiny. The debtors demand an absolute remission of their debts. Great disputes arise in the Senate on this occasion. In so dangerous a situation of affairs they judge it necessary to create a Dictator, (a sovereign uncontrollable Magistrature) and to this they get the People's consent.* §. V. *Titus Lartius is appointed to that supreme dignity. The levies for a war are now carried on without difficulty. After very little action in the field, a truce is made with the Latines for a year; during which the Roman women married into Latium, and the Latine women married at Rome, have leave to return to their respective countries.* §. VI. *The truce being expired, Posthumius one of the Consuls is named Dictator, and has the sole conduct of the war. He gives the Latines an entire overthrow in the battle of Regillus; after which the whole Nation submits. Tarquin being obliged to quit Latium, retires to Cumæ in Campania, and there, in a few months after, dies.*
- DICTA-
TOR.
- 256.
- 257.
- Battle of
Regillus.
TARQUIN
dies.

CHAPTER. V.

258. §. I. *The peace concluded with the Latines is followed by domestick broils at Rome; where the Senate get the Consulship for Appius Claudius and P. Servilius.* §. II. *The Volsci encouraged by the civil feuds among the Romans, prepare to fall upon them. The Plebeians at Rome refuse to list themselves for the war. Servilius with an army of volunteers, who follow him out of personal affection, enters the territory of the enemy, and terrifies them into a submission for the present; but he has no sooner led back his army, than they renew their preparations to attack the Republick.* §. III. *While the Senate are consulting about the levies to be made on this occasion, a sudden accident occasions an insurrection at Rome. Servilius appeases the tumult. News comes that the Volsci are approaching. Servilius by fair promises in relation to the debts engages the people to list themselves.* §. IV. *He defeats the enemy, and, tho' the Senate refuse him a triumph at his return, on account of his indulgence to the soldiers, he triumphs in spite of their opposition.* §. V. *After this he takes the field again, and defeats the AURUNCI.* §. VI. *The debtors at his return from the war claim the performance of his promises. Servilius, not having power to make them good, is treated by the people with contempt. He thereupon becomes their enemy, and the sedition increases.*

CHAPTER. VI.

259. §. I. *The people refuse to obey the summons of the new Consuls (A. Virginis and T. Veturius,) to list themselves for a war against the Sabines, Æqui, and Volsci. The Senate, after some dispute among themselves, agree to create a Dic-
tator,*

tator. Manius Valerius, a brother of Poplicola, is named to that dignity. §. II. Valerius prevails with the People to serve, by promising them full satisfaction in relation to their complaints when the war shall be over, and by suspending in the mean time all prosecutions for debt. Three armies are raised, to be commanded by the Dictator and the two Consuls. The enemy are defeated on all sides. §. III. The Dictator at his return home demands of the Senate to discharge his engagements to the debtors. His demand is rejected. He excuses himself to the People and resigns the Dictatorship.

CHAP VII.

§. I. The discontent among the People augments. The consuls, to give the mutineers a diversion, lead their two armies, which they had not yet disbanded, again into the field. The soldiers desert their Generals, and by the advice of Sicinius Bellutus, retire to a hill three miles from Rome. §. II. The Senate dispatch a deputation to them to persuade them to return; but in vain. Posthumius Cominius and Spurius Cassius are chosen Consuls. Warm debates in the Senate. A second deputation is sent to the mutineers in spite of the remonstrances of Appius Claudius. §. III. The artful management of Sicinius Bellutus and Junius Brutus, the two heads of the sedition, in their conference with the Deputies. §. IV. Menenius Agrippa by soft words, and by his famous apologue, overcomes the obstinacy of the mutineers; but when they are just ready to go back to the city, Brutus puts a stop to their march till the Senate have agreed to the creation of some new officers chosen out of the Plebeians to be the future protectors of the People. These officers, stiled TRIBUNES OF THE PEOPLE, being elected, and their persons declared sacred, the mutineers return to Rome.

SECESSION.

260.

TRIBUNES OF THE PEOPLE.

CHAP. VIII.

§. The TRIBUNES OF THE PEOPLE obtain of the Senate, that two officers be annually elected (out of the Plebeians) to be their Ministers and Assistants; who are afterwards called ÆDILES. §. II. The war is renewed against the Volsci. The Roman arms prevail. Caius Marcius Coriolanus signalizes his courage in this war. §. III. T. Geganius and P. Minucius are chosen Consuls. Rome suffers extremely by a famine, and this calamity revives the civil dissensions. The Senate, to disburthen the City, send away great numbers of the People to plant two Colonies. The Plebeians, who remain at Rome, grow more mutinous, in proportion as the famine increases. §. IV. The Tribunes give out, that the dearth of provisions is owing to the malice of the Senate. The Consuls convene the People to undeceive them. The Tribunes dispute with the Consuls the right of speaking in the Assembly. The next day, A LAW is passed by the People, Tribuno rogante, whereby it is made penal to interrupt the Tribunes when they are speaking in the Comitia. Coriolanus, at the head of some volunteers, takes the field and ravages the enemy's territory, sharing all the spoil among his soldiers.

Pleb. Ædiles.

261.

C H A P. IX.

262.

CORIO-
LANUS.

§. I. *Plenty of corn being brought to Rome from Sicily (in the Consulate of M. Minucius and A. Sempronius) fresh disputes arise in the Senate about the distribution of it. Coriolanus is for taking advantage of the people's distress to get the Tribuneship abolished. The younger Senators applaud the motion. §. II. The Tribunes, who had been present at this debate, go away in a fury and stir up the People to revenge. They cite Coriolanus to appear before them. He refuses. They endeavour to seize him as he comes out of the Senate-house, but are repulsed by those who attend him. The Consuls appease the tumult. §. III. Early the next morning the Tribunes hold an Assembly of the People on this affair. Minucius the Consul by gentle words disposes the multitude to peace; but Coriolanus spoils all by a fresh declaration of the same sentiments which had before offended them. The Tribunes condemn him to death. The Patricians oppose the execution of this rash sentence, and the People seem not to approve it. The Tribunes therefore resolve to prosecute Coriolanus in a legal way, and to convene the People by Tribes for his trial. The assembly is adjourned.*

C H A P. X.

§. I. *The Consuls endeavour by remonstrances to allay the heat of the Tribunes, and bring them to conform to the ancient usages, which did not allow the People to take cognizance of any affair till it was referred to them by a decree of the Senate. The Tribunes consent to observe this rule, and desire they may be heard by the Fathers in relation to their charge against Coriolanus. §. II. The Tribune Decius makes a long Speech in the Senate, inveighing bitterly against the accused, and contending for the People's right to judge him. §. III. Appius Claudius in very strong terms opposes this pretension. §. IV. But Valerius, in terms no less strong, urges the expediency of the Senate's compliance. He exhorts Coriolanus in the most pathetick manner to submit himself to the People's judgment; and he adds a discourse in behalf of a balance of power between the Patricians and Plebeians. §. V. It is carried by a majority of votes that Coriolanus shall be tried by THE PEOPLE. Coriolanus having assurances given him, that the Accusers charge shall be confined to the single crime of Tyranny, consents to the drawing up of the decree.*

C H A P. XI.

COMITIA
BY
TRIBES.

§. I. *The day being come for Coriolanus's trial, a dispute arises between the Consuls and Tribunes, whether the People shall give their suffrages by CENTURIES, according to the ancient custom, or by TRIBES, which had never yet been practised. The Tribunes, who are for the latter, prevail. §. II. Coriolanus's cause is heard. He is condemned to banishment, and leaves Rome.*

C H A P.

C H A P. XII.

§. I. *The Plebeians exult upon the victory they have gained over the Patricians in the affair of Coriolanus. The Romans having now no war abroad, nor squabble at home to employ them, turn their minds wholly to superstition, during the Consulate of Q. Sulpicius and Sp. Lartius.* §. II. *The Tribunes, from a political view, persuade the People at the next election of Consuls to chuse men of little spirit, and mean abilities for war. Their choice falls upon C. Julius and P. Pinarius Rufus.* §. III. *In the mean time, Coriolanus retires privately to Antium, one of the principal cities of the Volsci, discovers himself to Attius Tullus, General of that nation, offers him his service against Rome, and is nobly received by him.* §. IV. *These two Generals concert a stratagem to stir up the Volsci to renew the war with the Romans. Coriolanus is introduced by Tullus into the Assembly of the Volscian States, and there makes a speech, which is highly applauded. They resolve upon war, and to commit the conduct of it to Tullus and Coriolanus; but first, by the advice of the latter, send an embassy to Rome, to make such demands of the Republick, as they are sure will be rejected. The Volscian Ambassadors are dismissed by the Roman Senate with a haughty answer.* 263. 264

C H A P. XIII.

§. I. *Coriolanus at the head of a Volscian army recovers from the Romans all the towns they had taken from the Volsci; carries several cities in Latium by assault, and then leads his troops within five miles of Rome; where new Consuls are chosen, Sp. Nautius and Sex. Furius.* §. II. *The People, terrified at his approach, cry out to have the sentence of his banishment reversed. The Patricians oppose it. He marches to Rome and invests it. The Senate and People agree to sue to him for peace. Three Deputations are sent to him successively, to persuade him to desist from his demands in favour of the Volsci; but all in vain.* §. III. *The Mother and Wife of Coriolanus go attended by all the Roman Ladies of distinction to make a fourth attempt upon his resolution.* §. IV. *The interview and conference between Coriolanus and his Mother, who prevails upon him to raise the siege of Rome; after which he is assassinated by the Volsci.* 265

C H A P. XIV.

§. I. *Two brave and able Captains, Aquilius Tuscus and Sicinius Sabinus, being promoted to the Consulate, they recover the reputation of the Roman arms by the victories they obtain over the Volsci and Hernici.* §. II. *They are succeeded by Sp. Cassius (now a third time Consul) and Proculus Virginius. Cassius concludes an alliance with the Hernici upon terms which displease the Senate.* §. III. *He aspires to make himself King of Rome; and, to gain the People, proposes for the first time the AGRARIAN LAW (or the law AGRARIAN LAW for dividing the conquered lands among the citizens of Rome) and that the La-* 266. 267. Sp. Cassius

tines and the Hernici (newly become allies of Rome, and admitted to the rights of citizenship) may share with the Romans in that distribution. §. IV. The opposition of the Nobles to the passing of this law, with the reasons of that opposition. §. V. The Consul Virginius and even the Tribunes oppose it. §. VI. The artful conduct of the Tribune Rabuleius to draw an advantage to the People from the dispute between the Consuls. §. VII. Cæsius, to get his law passed, brings great numbers of Latines and Hernici to Rome to vote for it. His Collegue orders them to leave the city. §. VIII. The Senate, to quiet the contention, decree a Partition of the conquered lands, but postpone the execution of their decree till the Consuls elect (Q. Fabius and Serv. Cornelius) shall have entered upon their office. §. IX. Cæsius is arraigned before the People for treason, condemned and executed.

268.
Death of
Cæsius.

C H A P. XV.

§. I. The People regret the death of Cæsius. The Senate find means to divert them a while from the affair of the AGRARIAN LAW. §. II. L. Æmilius with Cæso Fabius, and M. Fabius with L. Valerius are successively chosen Consuls. In the Consulship of the latter the war with the Volsci breaking out afresh, the Tribune Mænius protests against any levies for the service, till something effectual be done in relation to the Agrarian Law. The Consuls, by a stratagem, get the better of his opposition. §. III. The Senate at the next Assembly for choosing Consuls, endeavour to obtain that dignity for Appius Claudius (the son of the first Appius so often mentioned.) The Tribunes, to hinder it, excite such a tumult, that there is no possibility of proceeding in the election. The Republick falls into an Inter-regnum. Sp. Latinus being Interrex quiets the contention between the two parties. They agree to give the Fasces to C. Junius and Q. Fabius, the first a creature of the Tribunes, the second a man zealous for the Senate. These Consuls take the field against the Veientes; and for a while all is quiet at Rome. §. IV. The next election raises new disputes. Sp. Furius and Cæso Fabius (a second time) are chosen, each party having a Consul to its liking. The Tribune Icilius, in imitation of Mænius, opposes the necessary levies for a war with the Æqui and Veientes. Appius Claudius suggests a stratagem to the Senate by which they carry their point against Icilius. The Consuls take the field.

APPIUS
CLAU-
DIUS II.

C H A P. XVI.

§. I. The Troops commanded by Cæso Fabius, not liking their General, will not suffer him to gain any honour in the campaign. §. II. M. Fabius (a second time) and Cn. Manlius Cincinnatus are elected to the Consulate. They obtain a signal victory over the Hetrurians, chiefly by the bravery of the Fabii, who from this time become popular. §. III. Cæso Fabius (a third time) and T. Virginius are chosen Consuls. Cæso defeats the Æqui and Veientes. §. IV. The Fabian family undertake alone to guard the frontiers against the Veientes. Cæso, as soon as he has resigned the Fasces (to L. Æmilius and C. Servilius) joins the rest of his family in quality of PROCONSUL, a new in-vented

274.
Fabian fa-
mily.

275.
PROCON-
SUL.

vented dignity. §. V. *The Romans carry on the war against the Æqui, Volsci, and Veientes. Æmilius after a successful campaign against the last is refused a triumph. He seeks to revenge himself on the Senate.* §. VI. *In the succeeding Consulship (of C. Horatius and T. Menenius) all Hetruria declares war against Rome. The miserable fate of the Fabii. The Hetrurian arms prevail. But the next year's Consuls (A. Virginus and P. Servilius) give the enemy an entire overthrow.*

C H A P. XVII.

§. I. *The Tribunes not being able to carry their point in relation to the AGRARIAN LAW, turn their rage against some Consulars, who when in power had opposed them. Menenius the last year's Consul, is accused before the People, and condemned in a fine.* §. II. *His successor Servilius is maliciously prosecuted as soon as he has resigned the Fasces to P. Valerius and C. Nautius, but he is honourably acquitted. In this and the following Consulship (of Aulus Manlius and L. Furius) war is carried on with success against several of the neighbouring States.* §. III. *The succeeding Consuls, L. Æmilius (a third time chosen) and Vopiscus Julius, are publicly called upon by the Tribune Genucius, to name the Commissioners for the Partition of the Lands. Finding that the Consuls soon meddling in that affair, he begins a criminal process against their predecessors Manlius and Furius, for having neglected the naming of those Commissioners. The trial is prevented by the sudden death of Genucius.*

C H A P. XVIII.

§. I. *The haughty and imprudent behaviour of the Consuls after the death of Genucius, in relation to P. VOLERO, whom, tho' he had been an Officer, they would oblige to list himself for a common soldier. The People rise, and the Consuls hide themselves.* §. II. *L. Pinarius and P. Furius succeed to the Consulate, and VOLERO is chosen a Tribune of the People. VOLERO proposes a Law for electing the Tribunes in the Comitia by Tribes. The Disputes on this head are interrupted by a plague.* §. III. *The Senate get the Consulship for Appius Claudius and T. Quinctius. The two Collegues differ about the means to defeat VOLERO's project.* §. IV. *VOLERO renews the proposal of his Law in an Assembly of the People. Quinctius, by soft words, disposes the People to reject it: But Appius, by a speech full of pride and heat, ruins the effect of what his Collegue had said. The Tribune Lætorius commands Appius to leave the Assembly, and even orders him to be led to prison. A scuffle ensues. Night puts an end to the Disorder.* §. V. *The tumult is renewed the next morning. Quinctius by prudent management quiets it, and prevails with the Senate to let VOLERO's Law pass.*

C H A P. XIX.

§. I. *The Consuls lead two armies into the field against the Æqui and Volsci. Appius's troops, that he may have no claim to a TRIUMPH, refuse to fight the enemy. He punishes them with the utmost severity, and returns to Rome.* §. II. *The affair of the Agrarian Law being revived in the Consulship*

283. of his successors (L. Valerius (a second time Consul) and T. Æmilius) he opposes the Tribunes with more heat than ever. They cite him before the People, as an enemy to the publick liberty. He kills himself. §. III. The Tribunes resume the affair of the Conquered Lands, but drop it again till the close of the next Consulship (of A. Virginus and T. Numicius) when no Plebeian appears in the
284. Comitia, where T. Quinctius (a second time) and Q. Servilius are chosen to
285. that dignity. These Consuls, to keep things quiet at home, busy the People in various wars. §. IV. The domestick dissensions begin afresh in the Consulship of T. Æmilius (a second time Consul) and Q. Fabius. Æmilius favours the People in relation to the Agrarian Law. Fabius, without promoting that affair, falls upon an expedient to stop their complaints. §. V. He then takes the fall and reduces the Æqui to ask peace; who nevertheless in the next Consulship of Sp. Posthumus and Q. Servilius (now a second time Consul) begin to stir again; and in
288. the following year, when T. Quinctius (a third time) and Q. Fabius (a second time) are Consuls, the war breaks out anew; it is continued by their successors, Sp. Posthumus and Sp. Furius, to the advantage of the Romans. §. VI. In the
289. succeeding Consulship of P. Servilius Priscus and L. Æbutius Elva, a most dreadful plague rages in the city. The Æqui and Volsci appear before Rome, but soon retire; and the Romans the next year, under the command of the new
290. Consuls (L. Lucretius and T. Veturius) give them an entire overthrow.
- 291.

C H A P. XX.

- TERENTI-
AN LAW. §. I. During the absence of the Consuls from Rome, Terentius Arsa, one of the Tribunes, proposes to the People, that there should be an establishment of FIXED LAWS to be the RULE to the Magistrates in deciding causes between man and man. §. II. Q. Fabius, Governor of the City, warmly opposes it, and sends to the Consuls to return to Rome. Terentius on their arrival suspends the pursuit of his design. §. III. But the affair is revived in the succeeding Consulship of P. Volumnius and S. Sulpitius. Great contests about it.
292. A stop put to it by prodigies and ill omens. §. IV. The Law is again proposed. The contending parties come to blows. Quinctius Cæso, the son of Quinctius Cincinnatus, is cited before the Commons for the violent part he had acted in those scuffles. §. V. He has not courage to appear on the day appointed for his trial. His uncle T. Quinctius appears for him. Cæso is falsely accused of murder. The decision of the cause is deferred to another day; before the coming of which Cæso banishes himself.

C H A P. XXI.

293. §. I. Notwithstanding the violent proceedings of the Tribunes against Cæso, the Patricians keep steady in their opposition to the Terentian Law; and the better to maintain their ground, they get C. Claudius (brother of that Appius Claudius, who killed himself) into the Consulship. (P. Valerius, now a second time Consul, is given him for a Colleague.) The Tribunes despairing of victory in a fair open contest, combine together to destroy the better part of the Senate; in order thereto, pretend to have discovered a plot upon the publick liberty.
- Claudius

Claudius exposes their malice and forgeries before the People, and thereby quashes their wicked design.

C H A P. XXII.

§. I. *These civil broils among the Romans encourage one HERDONIUS, a private Sabine, to attempt the conquest of Rome. At the head of 4000 men he surprizes the CAPITOL. The Tribunes take advantage of this publick distress, and before they will consent to let the People arm, insist upon a promise from the Consuls, that they will not oppose the passing of the Terentian Law. Claudius rejects the condition, but Valerius makes the promise required, and prevails with the People to march against the enemy, and take an oath not to lay down their arms without the Consuls leave. Valerius is killed in the attack of the Capitol. Nevertheless the Romans carry the place, and Herdonius is slain.*

C H A P. XXIII.

§. I. *C. Claudius is cited by the Tribunes to perform the promise of his deceased Collegue. He defers it under various pretences; and at length refuses to do any thing in the affair, till a new Consul be elected in the room of Valerius. L. Quinctius Cincinnatus is chosen to that dignity in his absence, to the terror of the People who had so lately banished his son Cæso. The Deputies from the Senate who carry Quinctius the news of his election, find him driving the plough.*

§. II. *He comes to Rome, convenes a general Assembly, reproves both Senate and People for their past behaviour, and threatens the latter (whose oath of obedience to the Consuls was still binding) to lead them into the field, and make them pass the winter there. By this and other arts, which he employs, he makes the Tribunes desist from their pursuit of the Terentian Law.*

§. III. *Virginus Volscius, and the other Tribunes, get themselves continued in their employment for another year, notwithstanding a Decree of the Senate expressly made to hinder any citizen from standing two years together for the same office. The Senate hereupon are for continuing Quinctius a second year in the Consulate, but he rejects the motion with indignation, and reprimands them for showing so little regard to their own Decrees. The Fasces are transferred to Q. Fabius and L. Cornelius; and Quinctius returns to his plough. The Quæstors commence a prosecution against Volscius, for having borne false witness against Quinctius's son Cæso; but the Tribunes put a stop to it, and the Senate make this a pretext for continuing their opposition to the Terentian Law.*

C H A P. XXIV.

§. I. *The Consuls of the present year are successful in war against the Æqui and Volsci. But the next year, when C. Nautius and L. Minucius are Consuls, the latter having the conduct of the war against the Æqui, suffers himself to be so shut up by the enemy in a valley, that his whole army is in danger of perishing by hunger. His Collegue being employed against the Latines, and therefore unable to assist him, names Quinctius Cincinnatus Dictator. This great man being fetched again from his plough, puts himself at the head of a strong army,*

army, expeditiously marches against the Æqui, blocks them up in their camp as closely as they had blocked up Minucius, and reduces them to surrender on his own terms. He then degrades Minucius from the Consulate, and refuses to let the soldiers, whom he had rescued from danger, have any part of the enemies' spoils. They nevertheless in gratitude to him, make him a present of ~~an~~ ^{an} ~~amount~~ ^{amount} of gold. He has a triumph at his return to Rome; and the 16th day after his promotion to the Dictatorship, resigns that office, and retires ~~quite~~ ^{quite} more into the country, his son Cæso being first recalled from banishment. §/II. The Senate in the next Consulate (of C. Horatius, and Q. Minucius) recal Quinctius again to Rome to set him up against the Tribunes, who refuse the necessary levies for a war with the Æqui and Sabines, unless the Terentian Law be first passed. Quinctius advises the Senate and the whole body of the Patricians to take arms: They accordingly repair all armed to the Forum, where Horatius convenes an Assembly of the People, and reproaches them with their baseness and cowardice. The Tribune Virginius seeing the multitude moved by the Consul's speech, consents to drop the affair of the Law, and to waive his opposition to the levies, provided the Senate will suffer the number of the Tribunes to be augmented to ten. C. Claudius opposes this motion, but Quinctius declaring that he thinks that it may turn to the Senate's advantage to comply with it, his opinion prevails, and the People are allowed to chuse TEN TRIBUNES.

Ten Tribunes.

C H A P. V.

§. I. Icilius, chief of the Tribunes, proposes that mount Aventine may be yielded to the People. The Consuls M. Valerius and Sp. Virginius looking upon this new demand as a prelude to the revival of the Agrarian Law, and deferring therefore to convene the Senate for the bearing and debating it, Icilius sends an Officer to them, commanding them to assemble the Senate forthwith, and to repair to it themselves. The messenger, by order of the Consuls, is chastised for his insolence by one of their Lictors. The Tribunes cause the Lictor to be seized, and the Senate, to save his life, are obliged to yield to the People the ground they demand. §. II. The concessions of the Senate made the Tribunes still more presumptuous. T. Romilius and C. Veturius (Consuls for the next year) attempting to force the citizens to list themselves for a war in spite of the opposition of the Tribunes, the latter order the Ædiles to seize those supreme Magistrates and lead them to prison. The Patricians kinder by force the execution of this order. The Tribunes hereupon cite the Consuls to appear before an Assembly of the People. Their citation being disregarded, they apply to the Senate for a Decree, empowering the People to try the Consuls. Romilius answers them with reproaches and menaces, and nothing is determined that day. §. III. The Tribunes, without any further soliciting a Senatus-consultum, resolve to get the Consuls condemned by the People in a fine; but when the day for the Assembly comes, they drop that design, and propose anew the Agrarian and Terentian Laws. Sicinius Dentatus, an old soldier, makes a notable speech in relation to the former. The Assembly is adjourned to the next day; and then the Patricians by violence hinder the suffrages from being collected.

Sicinius Dentatus.

lected. The following day the People being again assembled, empower their Tribunes to make enquiry after the Authors of the Tumult. The misdemeanor is charged upon three eminent Patrician families; and the Senate, to pacify the People, suffer the estates of the delinquents to be confiscated without opposition. §. IV. During these contentions, the Consuls are obliged to lead an army into the field against the Æqui. Sicinius Dentatus serves as volunteer in this war at the head of 800 Veterans. Romilius orders him with his company upon a desperate enterprize. Sicinius remonstrates against it, but nevertheless obeys; and he succeeds so well, as to occasion the total defeat of the enemy by the Consuls; afterwards he marches to Rome, complains to the People of the General's tyranny, and prevails with them to refuse him a triumph. And in the following Consulate (of Sp. Tarpeius and A. Æternius) Sicinius being chosen Tribune, Romilius and Veturius are accused before the People for misconduct during their Magistracy, and fined. A Law is also passed, empowering any Magistrate to impose a fine for disobedience. 299.

C H A P. XXVI.

§. I. The Tribunes finding they cannot by any means bring the Consuls to hear of the AGRARIAN LAW, return to the pursuit of the Terentian. Romilius, whom the People had lately fined, takes part with them on this occasion. At his motion both Senate and People agree to send Deputies to Athens to copy out the Laws of Solon and of the other Law-givers of Greece, in order to form thereby a body of Roman Law, to be the future rule to the Magistrates in all the parts of their administration. The next year (when Sextus Quintilius and P. Horatius are Consuls) there is neither war abroad, nor contention at home, but Rome is dreadfully afflicted by a plague. §. II. In the following Consulate of P. Sestius and T. Menenius, the Deputies return from Greece. The People press the nomination of the ten Commissioners, or Decemvirs, who are to compile the new Laws. The Consuls, to avoid proceeding in this affair, insist upon a previous election of their successors, under whose administration it is to be settled. Appius Claudius (son of that Appius who killed himself, and grandson of the first Appius) is chosen with T. Genucius. After this Menenius pretends sickness. The Consuls elect, to please the People, offer to forego their pretensions to the Consulate, rather than hinder the immediate nomination of the Decemvirs. Sestius, the Colleague of Menenius, assembles the Senate, where it is carried by a majority, to create Decemvirs, and the Tribunes, after some struggle, consent to let them be all Patricians. §. III. The election is made in the Comitia by Centuries, where Appius is the first named. The Decemvirs, having entered upon their office, behave themselves much to the satisfaction of the People. They compose TEN TABLES OF LAWS, which are approved by the Centuries Assembled. 300. 301. APPIUS CLAUDIUS III. DECEMVIRAL Government and Laws.

C H A P. XXVII.

Fragments of the TEN TABLES of Laws before-mentioned, as they have been collected and digested by the learned Jesuits Catrou and Rouillé, and also of the TWO TABLES of Laws soon after added to the TEN.

C H A P. XXVIII.

§. I. *The People and Senate agree "to have the same sort of government continued for another year, in order to the adding two tables of Laws to the ten already established. The Collegues of Appius suspecting him of ambitious views, declare him President of the Assembly where the second election of Decemvirs is to be made, thinking thereby to hinder him from being one of the candidates. But Appius, in spite of all decency, names himself the first, and not only gains the voices of the Assembly in his own favour, but in favour of nine men (three of them Plebeians) all devoted to his will; to the exclusion of all his late Collegues, and of the best men in the Republick.* §. II. *The new Decemvirs privately agree to make their authority perpetual. They exercise an absolute and cruel tyranny. C. Claudius, the uncle of Appius, would reprove him for his conduct, but cannot get admittance to him. Two new tables of laws are drawn up.* §. III. *The year of the Decemvirs Government being expired, they continue themselves in office by their own authority. They convene the Senate in order to obtain a levy of troops to oppose the incursions of the Æqui and Sabines. Valerius, an avowed enemy of the Decemvirs, in the warmth of his zeal, rises up to speak before his turn. Appius commands him silence, and not being obeyed, threatens to punish him as an incendiary. Horatius answers the Decemvir in a bold speech, which makes him soften his tone and manner. Appius desires his uncle C. Claudius to give his opinion. The uncle with great frankness reproveth his nephew for all his vices and tyranny, and exhorts him to divest himself of a power which he held only by usurpation, and which in the end would prove fatal to him. He concludes with declaring against any levies of troops till the Consulship be restored. The Quinctii and all the other eminent members of the Senate are of the same opinion. The majority is nevertheless for empowering the Decemvirs to raise troops, and to command them; which Appius perceiving, then calls upon Valerius to speak his opinion. Valerius declares for naming a Dictator, and moves to have the question put, and this motion is seconded; but the other party cry out, that the affair is already determined, and the care of the war given to the Decemvirs. A Decree to that effect is accordingly drawn up.* §. IV. *Valerius and Horatius, to secure themselves from being insulted by the Decemvirs, keep guards about their persons. Many of the Senators, and other principal citizens, retire into the country. Appius confiscates their estates.* §. V. *Fabius, with two other of the Decemvirs, leads an army against the Sabines. Five other Decemvirs lead five legions against the Æqui. Appius and Oppius stay with a body of troops in Rome. Nothing succeeds in the two camps, the soldiers being resolved not to conquer. Sicinnius Dentatus, that old soldier, who had been in 120 battles, publicly gives out at Rome, that the misfortunes of the campaign are owing to the incapacity of the Generals. Appius hereupon contrives, in concert with the Decemvirs, who command against the Sabines, to get him treacherously murdered. The discovery and report of so detestable a villainy disposes the soldiers to a revolt.*

Sicinnius
Dentatus
treache-
rously
murdered.

C H A P. XXIX.

§. I. Appius (at Rome) falls in love with Virginia, the daughter of a Ple- VIRGINIA.
belian and Virginius, a centurion in the army employ'd against the Æqui.
 To get her into his power, having in vain tried to corrupt her nurse, he conceals
 a stratagem with M. Claudius one of his clients. Claudius seizes the girl as a
 slave belonging to him, and leads her before the Decemvirs Tribunal, there to
 have his right legally confirmed to him. He pretends that Virginia was born of
 one of his slaves, and that Numitoria, the wife of Virginius, had (in concert
 with the mother of the girl) imposed her upon Virginius as her own child, she
 herself being barren. §. II. Numitoria, the uncle of Virginia, demands that
 the decision of the affair may be suspended, and his niece left under his care till
 her father can be fetched from the camp. The Decemvir finds reason for refus-
 ing this request: But Icilius, to whom Virginia had been promised in marriage,
 coming into court just in this instant, spirits up the People to such a pitch of fury,
 that Appius thinks fit to comply. Virginius is sent for, and arrives at Rome,
 notwithstanding the secret measures taken by Appius to intercept him on the road.
 §. III. The cause is heard, and the imposture of Claudius made manifest to all
 present. Appius nevertheless making himself a witness in the affair, and pre-
 tending conscience, decrees Virginia to his client. The father hereupon, to hin-
 der his daughter from being dishonoured, stabs her, and then hastens back to the
 army, leaving the city in a great commotion, which Valerius and Horatius take
 care to augment. §. IV. The soldiers upon hearing the tragical story from Vir-
 ginius revolt from their Generals, return to Rome, and incamp on Mount Aven-
 tine. §. V. The Senate being convened by the Decemvir Oppius, dispatch three
 of their body to them, to question them upon their desertion. The soldiers unani-
 mously cry out to have Valerius and Horatius sent to them, and they give no
 other answer. This army is soon after joined by all the soldiers of the other,
 who were equally incensed against the Decemvirs, by the complaints of Icilius.
 The Senate is for sending Valerius and Horatius to the mutineers; but those
 two Senators refuse to go unless the Decemvirs depose themselves. The latter
 reject this condition, till they hear that the armies are marched to the Mons
 Sacer; they then promise to lay down their authority. §. VI. Valerius and
 Horatius repair to the Mons Sacer, and prevail with the army, upon a promise
 of the ancient Government's being restored, to return to Rome; but the sol-
 diers before they separate abuse their Tribunes; and soon after Valerius and
 Horatius are named Consuls. §. VII. These popular Magistrates get sever-
 al new laws passed in favour of the People. §. VIII. Virginius being now one
 of the Tribunes, impeaches Appius for his conduct as a Judge in relation to
 Virginia; and insists upon his making his defence immediately, or being impris-
 oned till the day of trial. Appius appeals to the People, but in vain. He
 is carried to prison. His uncle C. Claudius solicits for his enlargement with-
 out success. Appius dies in prison. His Collegue Oppius being tried and con-
 demned dies also in prison the day of his commitment. The other Decemvirs all
 banish themselves. Claudius the client and minister of Appius is condemned to
 death,

death, yet suffers only banishment. The Tribune Duilius puts a stop to all further prosecutions, relating to the tyranny of the Decemvirs.

C H A P. XXX.

§. I. *The Consuls take the field. Valerius defeats the Æqui and Volsci, and Horatius the Sabines. Nevertheless the Senate, being dissatisfied with their too popular administration, and being especially moved by a speech of C. Claudius, who inveighs bitterly against them, reject their petition for a triumph. Hereupon they apply to the People, and obtain of them, by means of the Tribunes, what the Senate had refused.* §. II. *The Tribunes form a design of getting themselves perpetuated in the Tribuneship, and Horatius and Valerius in the Consulate. Duilius disliking this project of his Collegues, contrives to defeat that part of it which related to the Consuls, by engaging these to declare publicly, that they will not hold over after their year is expired, though the People should desire it. He then holds the Assembly for electing Tribunes; and by his influence, joined with the Senate's, five new ones are chosen; after which finding that he cannot prevail with the Tribes to fill the other five places with new Magistrates, he dismisses the Assembly, referring the completion of the whole number of ten Tribunes to the five already elected. These five, among those they associate with them in their office, name two Patricians. (Lartius Herminius and T. Virginius are chosen Consuls.) TREBONIUS ASPER, one of the Plebeian Tribunes, shortly after gets a Law passed, forbidding the Tribunes the practice of Co-optation.* §. III. *The next year (when M. Geganius and C. Julius are Consuls) produces nothing remarkable. But in the succeeding Consulate (of T. Quinctius Capitolinus and Agrippa Furius) the old dissensions are renewed; insomuch that tho' the Æqui and Volsci, taking advantage of these disorders, ravage the country to the very gates of Rome, the Tribunes oppose the necessary levies of troops to repulse them: But Quinctius gets the better of this opposition, by a speech he makes to the People. The Consuls rout the enemy, and make a great slaughter of them.* §. IV. *The Roman People dishonour themselves by a judgment they give in a cause referred to their arbitration by the cities of Ardea and Aricia.*

Co-optation.

305.

Tribonian Law.

306.

307.
Quinctius
Capitolinus.Unjust decree of the
Roman
people.

C H A P. XXXI.

308. §. I. *The Commons of Rome (in the Consulate of M. Genucius and C. Curtius) demand that Plebeians may be admitted into the Consulship, and that the law prohibiting Patricians and Plebeians from inter-marrying may be repealed. Canuleius one of the Tribunes declares to the Senate in the most solemn manner, that he will constantly oppose all levies of troops, till the want of them be never so pressing, till these concessions are made to the People.* §. II. *C. Claudius in a private Assembly of the oldest Senators moves to have recourse to arms and violence, rather than yield to these demands. But T. Quinctius and the majority of the Assembly think it better to comply than come to a rupture with the People. Claudius hereupon, to hinder the debasing of the Consulship, makes this*

• new

new proposal, that instead of Consuls a certain number of MILITARY TRIBUNES be chosen partly out of the Senate, and partly from among the Commons; and that these new Magistrates be invested with Consular power. This project being approved, the Senate is assembled, and the Tribunes are called to it, to give their reasons in behalf of the new laws which they demand. Canuleius, instead of speaking to the matter in hand, inveighs against the Consuls for holding secret Assemblies from which Horatius and Valerius are excluded. The Consul Genucius gives a satisfactory answer to this complaint. After Valerius and Horatius have spoken in favour of the People, and Claudius against them, the Consul's brother T. Genucius makes the proposal which had been suggested by C. Claudius. In conclusion it is approved by Senate and People, and six MILITARY TRIBUNES (three of each order) are to take the place of two Consuls. §. III. But when the day of election comes, the People will not give their voices to any but Patricians; and only three Military Tribunes are elected. These are obliged soon after to abdicate on account of some defect in their inauguration; and two Consuls (L. Papirius and L. Sempronius) are chosen to govern the Republick the remainder of the year. §. IV. Under the succeeding administration of T. Quinctius Capitolinus (a fifth time Consul) and M. Geganius (a second time) the CENSORSHIP is established.

MILITARY
TRIBUNES.

309.

310.

CENSORS.

C H A P. XXXII.

§. I. *The Romans put an end to the civil war among the Ardeates. §. II. The next year's Consuls, M. Fabius and Posthumius Æbutius, make the Ardeates some amends for the wrongs the Romans had done them on occasion of their contest with the Aricians. This year proves a year of peace, as does also the following year, when the Government is in the hands of C. Furius and M. Papirius. §. III. But in the succeeding Consulate of Proculus Geganius and L. Menenius, a Roman Knight named Sp. Mælius aspires to the sovereign power. Being a rich corn merchant, he during a dearth of provisions wins the meaner sort of people by a free distribution of corn, and some of their Tribunes by money. He causes great quantities of arms to be brought into his house by night. His designs are discovered by Minucius, Superintendent of provisions, in the Consulate of T. Quinctius Capitolinus (now a sixth time Consul) and Agrippa Menenius. Quinctius on this occasion names his brother Quinctius Cincinnatus Dictator, who appoints Servilius Ahala to be his General of the Horse. Mælius being summoned to appear before the Dictator's Tribunal, and not obeying, is slain by Servilius. Three of the Tribunes, provoked at this action, stir up the People to mutiny; and the Patricians, to pacify them, consent to the creation of Military Tribunes for the next year. None but Patricians are chosen to that office.*

311.

312.

313.

Sp. Mælius, the corn-merchant.

314.

315.

C H A P. XXXIII.

§. I. *Fidenæ revolts from the Romans, and puts itself under the protection of Tolumnius, King of the Veientes. The Romans prepare for war, and thinking it adviseable to have Consuls to conduct it, M. Geganius (a third time) and L. Ser-*

- §16. *L. Sergius are chosen; but these soon resign the care of the war to a Dictator, Mamercus Æmilius, who defeats the enemy in a pitched battle, wherein Cornelius Cossus a legionary Tribune kills Tolumnius and strips him of his armour.*
- §17. *§. II. In the following Consulate of M. Cornelius and L. Papirius, a Tribune named Sp. Mælius commences a prosecution against Servilius and Minucius, for the death of Mælius the corn-mERCHANT. The historians are not agreed about the issue of it. §. III. The Veientes and Fidenates renew the war during the*
- §18. *Consulate of Julius Iulus and L. Virginus, when the Romans are sorely distressed by a plague. Q. Servilius Priscus being named Dictator, routs the enemy and takes Fidenæ. It is uncertain what Magistrates were chosen to govern the*
- §19. *Republick, the next year, but whoever they were, they resigned their authority to Mamercus Æmilius, who is again named to the Dictatorship, upon a rumour that all Hetruria is preparing for war. This rumour proves groundless. Æmilius, thro' zeal for the publick liberty, gets a law passed restraining the office of*
- §20. *Censor to 18 months duration. He then resigns the Dictatorship. C. Furius and M. Geganius, the Censors, in revenge deprive him of the Common privileges of a citizen. Æmilius nevertheless protects those his bitter enemies from the fury of the populace, who are ready to murder them. §. IV. The Senate are*
- §21. *obliged to humour the People, by suffering Military Tribunes to be created for the next year. However none but Patricians are chosen. Nothing memorable happens during their administration, but a plague, which ceases in the following year, when the Republick is again governed by Military Tribunes all Patricians. The*
- §22. *rich Plebeians complain of the poorer sort for their having constantly refused to elect any of them to that Magistracy. A Law is passed, forbidding those who stand for offices to wear garments of an extraordinary whiteness: The Senate, fearing lest some of the chief Plebeians should get into the Military Tribuneship, determine if possible to restore the Consulship (from which Plebeians are excluded.) A war with the Æqui favours this design. T. Quinctius (son of Lucius) and*
- §23. *C. Julius are chosen Consuls; but these disagreeing, through jealousy, the Senate judge it necessary to have a Dictator. The Consuls refuse to name one. The Senators provoked hereat, rashly apply to the Tribunes to interpose in the affair. The Tribunes threaten the Consuls to have them carried to prison if they don't*
- §24. *comply. Posthumius Tubertus is named Dictator. He defeats the enemy, and returns triumphant to Rome. §. V. The Æqui in the following Consulate of*
- §25. *C. Papirius and L. Julius obtain a truce for eight years. (A regulation is made, that fines shall for the future be paid in money instead of cattle.) The Romans continue in peace during this and the succeeding Consulate of L. Sergius (a second time Consul) and Hostus Lucretius. The next year, when T. Quinctius*
- §26. *(a second time) and A. Cornelius Cossus are Consuls, Rome is afflicted by a famine and a plague which occasions the People to have recourse to foreign superstitions, but these are soon prohibited. §. VI. The Veientes in the following Consulate of L. Papirius (a second time Consul) and Servilius Ahala, make incur-*
- §27. *sions on the Roman lands. Disputes arising between the Senate and People about the prerogative of proclaiming this war, the Romans do not take the field till the next year, when the People prevail to have Military Tribunes in the Government, but they are all Patricians. These not acting in concert are defeated*
by

Book II. CONTENTS.

xxi

by the enemy; whereupon Mamercus Æmilius (who had been degraded by the Censors) is a third time raised to the Dictatorship. He gives the Veientes a total overthrow, and takes their camp, as also Fidenæ, which had again revolted from the Romans.

CHAP. XXXIV.

§. I. Military Tribunes are chosen to the Government the two following years; but the choice falls only on Patricians. The Tribunes of the Commons use their utmost endeavours to dissuade the People from this preference of the Nobles to them, in the elections. The Senate to counterplot them, before the new elections come on, contrive to send away the principal of the Plebeians into the field against the Volsci. In their absence Appius Claudius (son of the Decemvir) one of the Military Tribunes, holds an Assembly for electing Consuls, and C. Sempronius and Q. Fabius are chosen. §. II. Sempronius brings the whole Roman army into danger of being cut to pieces by the Volsci. An Officer of horse named Tempanius, by his bravery and prudence, prevents the defeat of the Romans. He arrives at Rome before the Consul, and gives testimony in favour of his conduct. §. III. The People condemn Posthumius (one of those Military Tribunes, who by their disunion had lost a battle in the year 327) in a fine. Tempanius is made one of the Tribunes of the Commons. His General Sempronius being prosecuted by the People for his misconduct, he takes his part, and engages the Tribune Hortensius, the accuser, to drop the prosecution.

CHAP. XXXV.

§. I. The next year, in the Consulate of T. Quinctius Capitolinus, and Numerius Fabius, new dissensions arise in the Republick, on occasion of a proposal to add two Quæstors to the two already established. The Tribunes insist that of the four one half shall be always Plebeians. The Senate oppose this, but are willing to leave the People free in their choice. The Tribunes not content, protest, by way of revenge, against holding the Comitia for electing Consuls. The two parties come at length to this compromise, that Military Tribunes shall be elected to the Government, and that the People shall be free to chuse Patricians or Plebeians to the Quæstorship. Notwithstanding all that the Tribunes of the Commons can do, the People chuse not only the Military Tribunes but the Quæstors too out of the Patricians only. The Tribunes of the Commons, to vent their rage, renew the prosecution against Sempronius (whose kinsman A. Sempronius, one of the new Military Tribunes, had presided in the Assembly for chusing Quæstors) and they get him fined. §. II. The following six years, to the year of Rome 340, the State is governed by Military Tribunes. In 334 a conspiracy of the slaves is discovered and prevented. In 335 the Romans have a war with the Labicani and Æqui united. The three Military Tribunes quarrel about the command of the army, one of the three being to stay in the city. Q. Servilius, formerly Dictator, the father of one of them, orders his son to remain at Rome. The other two take

- take the field, and command alternately. The Roman army is routed. Young Servilius names his father to the Dictatorship: This great man in eight days recovers the affairs of the Republick, and then resigns his office. The year 336 is a year of peace. In the year 337 the Tribunes revive the old quarrel about the distribution of the conquered lands. Appius's advice to the Senate, to raise a division among those Magistrates, is followed, with success. Six of them side with the Patricians. The like good understanding is maintained the next year (338) between the Nobles and some of the Tribunes.*
336. *§. III. But in 339 the affair of the AGRARIAN LAW is revived. Posthumius, one of the Military Tribunes and General of the army, having promised the soldiers the plunder of Bola taken from the Æqui, afterwards breaks his word with them. Sextius, one of the Tribunes of the Commons, to make the soldiers amends, proposes that a colony of them shall be settled at Bola, and its territory divided among them. Posthumius (who had been called to Rome to oppose Sextius's proceedings) threatens that it shall be the worse for his men if any such step be made in their favour. The Tribune takes advantage of this proud and imprudent menace to incense the People against the General; and a report of it being made in the camp; the soldiers mutiny and wound one of the Quæstors; and Posthumius, at his return to the camp, attempting to punish the guilty, is stoned by the soldiers. The Senate, fearing lest the People, in order to screen the murderers, should chuse Plebeian*
340. *Military Tribunes for the next year (340) use all their endeavours to get Consuls elected, and they prevail. The sashes are transferred to A. Cornelius Cossus and L. Furius Medullinus, who shew great moderation and prudence in the prosecution of the criminals. §. IV. Nothing very memorable, except a plague and famine, happens in the three following Consulates.*
344. *But in the year 344, when Cn. Cornelius and L. Furius (a second time) are Consuls, three Tribunes of the name of Icilius prevail with the People to chuse three of the four Quæstors out of the Plebeians. The Senate is likewise forced to consent to the chusing of Military Tribunes for the next year, but find means to disappoint the Icili in their expectation of being raised to that dignity. Three Patricians are chosen. These being ordered by the Senate to name a Dictator, on occasion of a war with the Volsci, two of them refuse. The Senate hereupon has recourse, as formerly, to the Tribunes; but these return a disdainful answer, and will not meddle in the dispute. Servilius Ahala, the third Military Tribune, names P. Cornelius Dictator, who quickly puts an end to the war. Servilius's two Collegues in anger against the Senate propose Military Tribunes at the next election: However Patricians are chosen, and so likewise the next year. The Tribunes of the Commons, provoked to the utmost, revenge themselves by opposing the levies for a war with the Veientes, who had insulted the Roman Ambassadors; and they make the old affair of the Agrarian Law their pretence. The Senate get the better of this opposition, by decreeing that the infantry shall hereafter have*
346. *PAY out of the publick treasury during the service. The People joyfully confirm this Decree, and readily offer themselves to be enlisted.*
347. *PAY allowed to the INFANTRY.*

C H A P. XXXVI.

- §. I. *The Romans invest Veii. In the two first years of the siege (which lasted ten) there is little action. The third year (350 of Rome) the Tribunes of the Commons made a stir about the hardship the soldiers suffer by being detained in the camp all the winter. Appius Claudius, Military Tribune, (grandson of the Decemvir) assembles the People and inveighs against their Tribunes for their seditious behaviour. His harangue has little effect; but a loss which the besiegers sustain before the place, animates the Plebeians with a zeal to push on the siege with vigour. The Senate for the first time allow PAY to THE HORSE.* §. II. *The year following, Sergius and Virginius (two of the Military Tribunes) having the conduct of the siege, quarrel and divide the troops between them. The Falisci and Capenates (People of Hetruria) come to the assistance of the Veientes, and fall upon one side of Sergius's camp, while the besieged sally out and attack the other. Virginius refuses to assist his Collegue; the troops of the latter are routed. Hereupon the two Generals are both recalled. All the Military Tribunes of this year are obliged to abdicate, and new ones are chosen. The Tribunes of the Commons raise such disturbances at Rome about the levies, that in the election of those Magistrates the People cannot agree in the choice of more than eight. The majority of those eight name two more, in defiance of the Trebonian Law. C. Trebonius, one of the present Tribunes, draws the hatred of the People upon three of his Collegues on this account, but they artfully divert it from themselves by turning it against Sergius and Virginius (the Generals of the last year) who are both fined for misconduct.* §. III. *The Tribunes renew the domestick broils. But all is quieted by the chusing some Plebeians into the Military Tribuneship. At the next elections the Comitia chuse five Plebeians to that dignity, and only one Patrician. The arms of the Republick prosper, but there happens a great mortality among men and cattle. To avert this evil the ceremony of the Lectisternium is observed.* §. IV. *The Senate take advantage of the People's fears and superstition, to get the Military Tribuneship for Patricians only; pretending that the Gods were angry at the choice, which had been made of Plebeians to that Magistracy. The lake of Alba overflows. This being looked upon as a prodigy, and an old Veientan soldier having delivered a prophecy, that Veii should not be taken before the water of that lake was all run out, Deputies are sent from Rome to consult the Oracle of Delphos. These return the next year with an answer agreeable to the old man's prophecy. Canals are made to drain the lake. Some defect being discovered in the inauguration of the present Military Tribunes, they all abdicate, and six new ones are chosen, all Plebeians. Their administration not being prosperous, Camillus is named Dictator.* §. V. *He takes Veii by sap.*
348.
350.
APPIUS
CLAUDI-
US V.
PAY al-
lowed to
the HORSE.
351.
352.
PLEBEIAN
MILITA-
RY TRI-
BUNES.
353.
354.
355.
356.
357.
Camillus
takes Veii.

C H A P. XXXVII.

- §. I. *The People are much displeased with Camillus on account of some singularities in the pomp of his triumph; but much more for demanding back from them*
- VoL. I. i a tenth

358. *a tenth part of the spoil of Veii, to discharge a vow which he had made to Apollo just before the assault, and which he had afterwards forgot. The Roman Ladies contribute their Jewels to make a golden vase for Apollo. §. II. The next year (the Republick being under the Government of six Military Tribunes, all Patricians) Sicinius Dentatus, a Tribune of the Commons, proposes that half of the Senators, Knights, and People of Rôme should remove to Veii, and settle there. After much struggle Camillus and the other Senators bring this project to nothing. §. III. Camillus is chosen one of the six Military Tribunes for the year following, and to him is committed the conduct of the war against the Falisci. He besieges Falerii their capital city. A school-master to whom the sons of the chief inhabitants of the place are committed for education, betrays his trust, and puts all the children into the hands of Camillus. The Roman detesting both the treachery and the traitor, makes the boys whip him back again into the town. The Falisci moved by this generous action, submit to the Romans, who grant them peace on the condition only of paying the expences of the Campaign. During this transaction, two of Camillus's Collegues gain a victory over the Æqui. §. IV. The People, when the time comes for electing their Tribunes, chuse to the same office those of the old ones who had appeared for the proposal of removing half the People to Veii. On the other hand, the Patricians get Consular Government restored. L. Lucretius and Servius Sulpitius are elected Consuls. Sicinius the Tribune, Author of the project of going to Veii, gets two of his late Collegues fined for having opposed it. This project is debated in an Assembly of the People, and rejected by a majority of only one tribe. The Senate decree seven acres of the lands of Veii to every free-man of Rome. §. V. L. Valerius and M. Manlius are chosen Consul for the next year. The Volturnenses, a People of Hetruria, take arms against Rome. The Consuls being seized with a contagious distemper, resign the Fasces. An Interregnum ensues. And then six Military Tribunes are elected to the Government.*

C H A P. XXXVIII.

362.
CAMIL-
LUS ba-
nished.
King
BRENNUS.

- §. I. *An accusation is brought against Camillus, for having taken to his own use some part of the spoil of Veii. To avoid the disgrace of a condemnation, he banishes himself. §. II. Shortly after, Clusium in Hetruria being besieged by the Gauls under King Brennus, the Inhabitants implore the assistance of the Romans. Three brothers of the name of Fabius are sent Ambassadors from Rome to mediate a peace between the contending powers. Brennus gives them a haughty reception. The Fabii young and indiscreet, having entered the town, put themselves at the head of the Clusians; and make a sally with them against the besiegers. Q. Fabius with his own hand kills one of their Captains. Brennus provoked at this breach of the law of nations, raises the siege, and marches strait towards Rome. He sends a Herald, and demands that the Ambassadors be delivered up to him. The Romans, instead of complying with this demand, chuse the Fabii to the Military Tribuneship, and place them at the head of the army which is to act against the Gauls. §. III. Brennus gives the Romans a total overthrow on the banks of the Allia. The third day after*
- 363.

ter the Battle, he enters Rome, the gates of it being left open, most of the citizens fled, and the Senate, with all they were capable to bear away, retired into the Capitol. Brennus finds about 80 venerable old men, who had devoted themselves to death, sitting in the Forum in robes and chairs of state. They are all slain. The Capitol is invested, and the City burnt. §. IV. Camillus ^{Rome burnt.} (who in his exile resided at Ardea) puts himself at the head of the Ardeates, surprizes and cuts off some detachments of Gauls sent out to plunder the country. Upon the report of this action, the Romans, who were dispersed about the territory of Rome, assemble, and send a request to him to be their General. He declines it; till a young man, dispatched away to the Capitol for that purpose, brings him from the Senate a commission, which constitutes him Dictator. §. V. While Camillus is assembling an army, the Gauls attempt to scale the Capitol in the night. Their approach to the ramparts is discovered by the cackling of some geese. The assailants are repulsed, chiefly by the bravery of M. Manlius. ^{M. Manlius.} Camillus hinders all provisions from coming to the enemy. §. VI. Both besiegers and besieged being distressed by famine, they enter upon a treaty. The Romans are to purchase a peace with 1000 lb. weight of gold. While the gold is weighing, Camillus arrives: He breaks off the treaty, and forces the Gauls to raise the siege and quit the country. §. VII. Rome being destroyed, the Tribunes ^{364.} renew the proposal of removing to Veii. Camillus (who is continued in the Dictatorship the whole year) opposes it with great zeal; but an accidental word of a centurion is, what determines the People to stay and rebuild the city. Manlius is rewarded. Q. Fabius the Ambassador, who by his blameable conduct had provoked the Gauls against Rome, kills himself to avoid a publick condemnation. §. VIII. Before the end of the next year (during which the Common- ^{365.} wealth is governed by six Military Tribunes) the CITY is entirely REBUILT. ^{Rome rebuilt.}

T H I R D B O O K.

From the year of ROME 365, when the CITY was REBUILT, after the burning of it by the GAULS, to the year 489, when the ROMANS, having subdued ALL ITALY, began the first PUNICK or CARTHAGINIAN WAR.

C H A P. I.

§. I. *The Nations bordering upon the Roman State resolve, if possible, to crush it before it can recover its former strength. The Military Tribunes march an army against the Volsci and Latines, but by ill conduct suffer it to be inclosed by the enemy. Camillus hereupon is, a third time, named Dictator; he raises new forces, rescues the army in distress, and forces the enemy's camp, after which he takes the capital city of the Æqui, subdues the Volsci, and recovers* 366. *Sutrium from the Hetrurians. §. II. The next year (when the Commonwealth is again governed by Military Tribunes) the Roman arms prosper abroad. The year following is a year of peace. FOUR NEW TRIBES are added to the* Four new Tribes. *TWENTY-ONE. §. III. The expectation of a new war makes the Romans* 367. *chuse Camillus to be one of the six Military Tribunes for the next year. He* 368. *leads the Roman troops, first against the Volsci of Antium, and then against the Hetrurians; and has success in both expeditions. The Latines and Hernici submit.*

C H A P. II.

369. §. I. *The next year Military Tribunes being again chosen to the Government, M. Manlius (who saved the Capitol) uses such methods to make himself popular, as alarm the Senate. They name A. Cornelius Cossus Dictator. He summons Manlius to appear before him. Manlius not answering directly to the Dictator's question is committed to prison, Cossus soon after resigns the Dictatorship. The Senate fearing the rage of the People, who are devoted to Manlius, set him at liberty. §. II. Camillus is chosen one of the Military Tribunes for the next year. Two of the Tribunes of the Commons impeach* 370. *Manlius of Treason, and, by sentence of the People, he is thrown headlong* M. Manlius put to death. *from the Tarpeian rock.*

C H A P. III.

§. I. During the six following years, and the beginning of the seventh, Rome is almost intirely free from civil dissensions; but wars are carried on abroad against the Prænestini and Volsci, with very little interruption. Camillus being one of the Military Tribunes in the year 373, gives a remarkable proof of his moderation, when disrespectfully treated by one of his Collegues.

C H A P. IV.

§. I. The lower sort of the People of Rome are over-awed and oppress'd 377.
by the Great and the Rich; and the Commons in general lose that spirit and
courage they formerly had in contending with the Nobles. §. II. In the midst
of this extreme dejection, the vanity of a woman sets three bold and enterpriz-
ing men at work to raise the fortune of the Plebeians higher than ever, and to
obtain even the dignity of the Consulship for persons of that order. The
three who form this design are M. Fabius Ambustus, the Lady's Father,
(a Patrician) C. Licinius Stolo, her Husband (a Plebeian) and L. Sextius,
another Plebeian of great distinction. The two latter having obtained the
office of Tribunes of the People, propose a law for the restraining of Usury, LICINIAN
another to prohibit any citizen from possessing more than 500 acres of land; LAWS.
and a third to restore the Consulate, and make it an establish'd rule for the
future, that of the two Consuls one shall indispensably be a Plebeian. The
Senate and Patricians on this occasion gain over to them eight of the Tri-
bunes, who pronouncing the word Veto when the affair is brought before the
Tribes, quash the whole project for the present. §. III. Licinius and Sex- 378.
tius in revenge, and to gain their point, being continued in the office of Tri-
bunes of the Commons, oppose and hinder for four years successively any
election of Military Tribunes; and the Republic falls into a kind of anarchy.
But, in the fifth year, a new war breaking out obliges them to desist from 382
their opposition; and then six Military Tribunes, all Patricians, are chosen
to the government. The war continuing, Military Tribunes are again elected, 383.
and these too are six men of the Patrician order. Nevertheless, as Fabius Am-
bustus happens to be one of the number, Sextius and Licinius, having his coun-
tenance and assistance, take this opportunity to renew their proposal of the three
Laws; to which they add a fourth, importing, that Ten Guardians, instead of
Two, shall have the care of the Sybilline Books, and that of these ten, five shall
be Plebeian. The determination of the whole affair is suspended on account
of the absence of so many Citizens, as are employed in the war. §. IV. The 384
next year the Republic has again six Patrician Governors, but the Senate is
obliged to have recourse to a Dictator, and Camillus is rais'd (a fourth time)
to that dignity. He disperses by his authority an assembly of the Tribes, 385.
which

Plebeian
General of
the Horse.

386.

PLEBEIAN
CONSUL.

PRÆTORS.

387.

CURULE
ÆDILES.
388

CAMIL-
LUS dies.

which the Tribunes had convened in order to get the Laws passed; and presently after resigns his post. §. V. P. Manlius is chosen Dictator in his room. This Dictator names a Plebeian to be his General of the Horse, the first instance of such a nomination. The Tribunes having a supreme magistrate so favourable to them, think of pushing their affair with fresh vigour; but the People themselves grow cold and indifferent as to that part of the project which relates to the Consulate. Sextius and Licinius, enraged hereat, tell them plainly in a general assembly, that either that law, which qualifies Plebeians for the Consulate, shall pass, or none; and that if they persist in such ingratitude to their protectors, they will no longer serve in the office of the Tribuneship. Appius Claudius (grandson of the Decemvir) makes a speech, expatiating on the insolence shewn in such a declaration. The decision of the affair is put off. Soon after the Commons obtain the Law concerning the Sybils Books, and then suffer new Military Tribunes to be chosen, all Patricians. §. VI. The contest relating to the other Laws is revived with great heat, but is again suspended by the approach of an army of Gauls. Camillus is appointed Dictator (a fifth time.) He defeats the enemy, and has a Triumph at his return to Rome. §. VII. The Tribunes Sextius and Licinius being resolved to carry their point, summon the Tribes and proceed immediately to take the voices. Upon the Dictator's opposing their measures, they send an officer to seize him and carry him to prison. This causes a great commotion and struggle. The Dictator and Senate retire to the Senate-house to consider what is best to be done, and they come to a resolution to concede that one of the Consuls may be a Plebeian. Hereupon the Centuries chuse L. Æmilius and L. Sextius (the Tribune) to the Consulate. But now the Senate refuse to confirm the election of the latter, which occasions new and warm contentions. The Dictator, to quiet them, proposes, that the prerogative of judging in civil causes be taken from the Consulate, and Prætors be appointed to perform that function, and that these Prætors be always Patricians. Hereto both parties agree, and the Senate acquiesce in having a Plebeian Consul. §. VIII. The Curule Ædileship is establish'd in favour of the Patricians. The Tribunes soon after obtain, that Plebeians may be chosen to the Curule Ædileship. §. IX. The next year, L. Genucius and Q. Servilius being Consuls, a dreadful plague in Rome carries off many persons of distinction, among whom is the great Camillus.

C H A P. V.

389.

390.

§. I. In the following Consulate (of C. Sulpicius and C. Licinius Stolo) the plague continuing, and the Romans, to remove it, having in vain tried the superstitious ceremony of the Lectisternium, they endeavour to appease the Gods by instituting to their honour the Scenic Shews. This expedient also failing, they try another the next year (L. Æmilius (the 2d time) and

Cn. Genucius being Consuls) which is to create a Dictator to drive a Nail into the wall of the Temple of Jupiter Capitolinus.' The plague ceases; but L. Manlius Imperiosus the Dictator is unwilling to resign his authority, ^{L. Manlius Imperiosus.} and uses violence to make the People list themselves for a war with the Hernici. The Tribunes however oblige him to abdicate; and in the following Consulate of Q. Servilius and L. Genucius (both Consuls a 2d time) he is ^{391.} cited by the Tribune Pomponius to answer for his misconduct during his Dictatorship, and particularly for his cruelty to his own son, named Titus. The son, who was in the country, hearing of what had pass'd, comes to Rome, surprizes Pomponius in his bed, and, by threatening to stab him, makes him swear to desist from the prosecution. The People, pleased with the filial piety of young Manlius, give him soon after the post of Legionary Tribune (or Colonel.) §. II. In this same year the earth opens on a sudden in the midst of the Forum, and continues open to the great terror of the City. M. Curtius, a young Patrician, moved by an obscure answer ^{CURTIVS.} of the Augurs, who had been thereupon consulted, leaps into the gulph completely armed and on horseback. Some authors say, that the earth immediately closed. §. III. The Consul Genucius, the FIRST PLEBEIAN Rome ^{PLEBEIAN} had ever placed at the head of an Army, conducts the war against the ^{GENLRAI} Hernici. He falls into an ambush, his Legions are routed, and he himself slain. This disaster is imputed by the Patricians to the anger of the Gods on account of the profanation of the Augural Ceremonies, by inaugurating a Plebeian. The surviving Consul names Appius Claudius Dictator, who, carrying on the war, gains a victory, but with great loss. §. IV. The ³⁹² People, notwithstanding the clamours of the Patricians, chuse Licinius Stolo (that famous Plebeian) a 2d time to the Consulate. They give him for a Colleague C. Sulpicius Peticus. But the Tyburtines revolting soon after, and it being suspected that they were encouraged to this revolt by a secret promise of assistance from the Gauls, it is thought necessary to create a Dictator. T. Quinctius Pennas is named to that dignity. The Gauls advance within three miles of Rome, incamping on the banks of the Anio. The Romans pitch their camp on the opposite side, a bridge parts the two armies. On this bridge young Manlius in single combat slays the mightiest ^{T. Manlius Torquatus.} champion of the Gauls, a man of gigantick stature; which accident so discourages them, that they leave their camp in the night and in confusion. The next year (in the Consulate of M. Fabius Ambustus and C. Poetelius Libo) the Gauls appear again in the neighbourhood of Rome; and the Romans (under the conduct of Servilius Ahala, created Dictator) once more defeat them. The two Consuls make war with success against the Tyburtines and the Hernici.

C H A P. VI.

394. §. I. *The Falces are transferred to M. Pompilius Lænas and Cn. Manlius. A domestick sedition, soon quell'd, an incursion of the Tyburtes, soon repulsed, and the commencement of a new war against Rome by the Tarquinienſes, are the chief events of this Conſulſhip.*
395. §. II. *The ſucceeding Conſuls are C. Fabius Ambuſtus and C. Plautius Proculus. The Gauls appear on a ſudden in the plains of Præneste. Hereupon C. Sulpicius is named Dictator, who with an army ſtrengthened by the Latines (who now renew their ancient treaties with Rome) marches againſt the Gauls. The Dictator for prudential reaſons avoids an engagement with the enemy, till he is forced to it by the mutinying of his ſoldiers, impatiently ardent to fight. By the help of a new ſtratagem he obtains a complete victory. He has a triumph at his return, and then reſigns the Government to the Conſuls. Plautius ſubdues the Hernici, but Fabius is vanquiſhed by the Tarquinienſes.*
- Two new Tribes. 396. §. III. *TWO NEW TRIBES are join'd. A Law is paſſ'd againſt openly canvaffing for votes. Another (in the following adminiſtration of C. Marcus Rutilus and Cn. Manlius, who is now a ſecond time Conſul) fixing the legal intereſt of money at One per Cent. Licinius Stolo, author of the law againſt any man's poſſeſſing more than five hundred acres of land, is convicted of a breach of it. A law is paſſed againſt holding the Comitia in any place but Rome.*
397. §. IV. *New Conſuls are choſen. M. Fabius Ambuſtus and M. Popilius Lænas (both a ſecond time;) but, the Falſci and Tarquinienſes having engaged all Hetruria to take part with them againſt Rome, C. Marcus Rutilus, the PLEBEIAN Conſul of the laſt year, is named DICTATOR by Popilius the Plebeian Conſul of this, to the great diſpleaſure of the Nobles. He obtains a compleat victory over the enemy, and has a Triumph, in ſpite of the oppoſition of the Senate. However, he is not ſuffered (becauſe a Plebeian) to hold the Comitia for the new election of Conſuls. The aſſembly is held by an Inter rex, and then two Patricians (C. Sulpicius Peticus (a third time) and M. Valerius) are choſen to the Conſulate, contrary to the intent of one of the Licinian laws, and the cuſtom for eleven years paſt. The next year the Falces are again in the hands of two Patricians. Theſe are M.*
399. *Fabius Ambuſtus (a third time Conſul) and L. Quinctius Pennas. The former ſubdues the Tyburtes, the latter defeats the Tarquinienſes. (The Samnites conclude an alliance with the Romans.) The Nobles prevail once more to have only Patricians in the Government. C. Sulpicius Peticus (a fourth time) and M. Valerius (a ſecond time) are promoted to the Conſulate.*
400. *The former is appointed to lead an army into Hetruria againſt the Tarquinienſes and Falſci; the latter another againſt the Volſci; and ſoon after T. Manlius (who had never been CONſUL) is named DICTATOR to conduct a third army againſt the Cœrites. The Cœrites ſubmit. The Conſuls act only on the deſenſive.*
- PLEBEIAN DICTATOR. DICTATOR who had not been Conſul.

C H A P. VII.

§. I. *The Tribunes of the People oppose the holding of the Comitia for electing new Magistrates, till the Dictatorship of Manlius and the Consular Year are expired; and during the Inter-regnum, that follows, they prevail to have C. Marcius Rutulis, a Plebeian, raised (now a second time) to the Con-* 401.
sulate with P. Valerius. These Magistrates take effectual measures to relieve the Debtors, in order to maintain peace at home. §. II. *Upon a false rumour that the twelve Lucumonies of Hetruria are preparing for a war with Rome, Julius Iulus is named Dictator. Julius employs his influence to get two Patricians chosen to the Consulate for the next year. The People, tho' they oppose this design, and hinder the meeting of the Centuries during his Dictatorship, suffer C. Sulpicius (now a fifth time) and T. Quinctius Cin-* 402.
cinnatus, both Patricians, to be declared Consuls, when the Comitia are afterwards held by an Inter-rex. Nevertheless, in this very Consulate the Commons' prevail for the first time to have a PLEBEIAN chosen to the CEN- PLEBEIAN
sorship. This was the same C. Marcius Rutilus who had been created CENSOR. Dictator in 397. §. III. *And notwithstanding that the present Consuls name a Dictator to hold the Comitia for the election of their successors, in order to get two Patricians chosen, M. Popilius Lænas, a Plebeian, is pro-* 403.
moted (now a third time) to the Consulate with L. Cornelius Scipio. Cornelius falling sick, the Plebeian Consul has the sole conduct of a new war with the Gauls. M. Valerius the PRÆTOR of Rome is placed at the head of an army to defend the City; this being the first instance of a PRÆTOR's A PRÆ-
acting as a GENERAL. Popilius defeats the Gauls in battle but being dis- TOR com-
abled from doing business, by a wound, and his Collegue continuing sick, they name Furius Camillus Dictator, to hold the Comitia for the new Elections, mands an
where the Dictator himself, with Appius Claudius Crassus (both Patricians) army. 404.
are chosen Consuls. Appius dying shortly after, Camillus is suffer'd to go- VAL-
vern the Republick without a Collegue. He marches a powerful army against LERIVS
the Gauls, who had spread themselves on the sea-coast of Latium. M. VA- Corvus.
LERIVS (afterwards surnamed CORVUS) a Legionary Tribune, kills in single combat a champion of the Gauls, and this occasions a general action, in which the Romans obtain the victory. Camillus being obliged still to keep the field, in order to hinder the descent of some Greek pirates on the coast, names T. Manlius Dictator, to hold the Comitia for the new Elections. Manlius, pleased with the exploit of Valerius, resembling what he himself had formerly Consul
done, influences the People to chuse him, tho' but twenty-three years of age, twenty -
to be one of the Consuls. The Collegue given him is Popilius Lænas, now three years
promoted the fourth time to that dignity. old. 405.
 §. IV. *The Romans conclude a* Treaty
 Treaty with the Carthaginians. §. V. *In the following Consulate of C.* with Cai
 Plautius Hypæus and T. Manlius Torquatus *the Interest of Money is low-* thage.
er'd to Half per Cent. A new war with the Volsci breaks out during the ad- 406.
ministration of their successors, Valerius Corvus (now a second time Consul) 407
and C. Pœtelius Libo. Valerius defeats the enemy, takes from them Satri-
 cum,

408. cum, and burns it. *The Secular Games are celebrated for the second time according to Fast. Cap. §. VI. The next year's Consuls, M. Fabius Dorso and S. Sulpicius Camerinus, name L. Furius Camillus to be Dictator (a second time) on occasion of a war with a new enemy, the Aurunci. Furius overthrows them in battle, and at his return builds a Temple, which he had vowed, during the action, to Juno Moneta. The year following, the Romans imagining that the Goddess, conformable to her name MONETA, admonish'd them by*
409. *Proudiges of the impending wrath of the Gods, C. Marcius Rutilus (now Consul a second time) and T. Manlius (Consul a second time) appoint P. Valerius to be Dictator, to order the Celebration of the Feriæ Latinæ.*

C H A P. VIII.

410. §. I. *In the succeeding administration of M. Valerius Corvus (a third time Consul) and Cornelius Cossius Arvina, happens the FIRST RUPTURE between the ROMANS and SAMNITES, on occasion of a war which the latter had carried on with success against the people of Capua in Campania. The Campanians, to engage the Romans to succour them in their distress, make a surrender of themselves and their country to the Republick. Hereupon Valerius is directed to march an army into Campania, and Cornelius to carry the war into*
- SAMNITE WAR. *Samnium. Valerius, in an action with the Samnites, has the advantage. §. II. Cornelius, on the other hand, by an imprudent march, brings his army into danger of being entirely cut off by the enemy; however, he is delivered out of his difficulty by a stratagem, suggested and executed by a Legionary Tribune named P. Decius Mus; and presently after, following the advice of the same Decius, he gains a victory over the Samnites, who lose 30,000 men in the action. Decius is rewarded with many honours: §. III. Valerius obtains a second victory over the Samnites in Campania. These successes make the Romans respected abroad.*
- Decius Mus.

C H A P. IX.

411. §. I. *C. Marcius Rutilus is elected (the fourth time) to the Consulate, and with him Q. Servilius Ahala. The former marches an army into Campania. He finds a general depravation of manners in some Cohorts of Roman soldiers, who had been left in Capua all the winter; and discovers that they had plotted to make that delightful City their own, and to settle there. To disappoint this scheme, he artfully contrives to send away the most mutinous and enterprising, without treating them disgracefully, or letting his design appear. The soldiers at length suspecting it, are alarmed with the apprehension of punishment. All the soldiers of one Cohort desert. These having posted themselves advantageously near Anxur, are soon joined by great numbers of malecontents from the City and the Camp. They force one Quinctius, an old soldier, whom they find employed in husbandry, to be their leader to conduct them to Rome. Valerius Corvus is hereupon named Dictator, to march an army against the mutineers. He meets them eight miles from Rome, comes to a parley with them, and, being a man extremely beloved by the soldiers, prevails with them to submit; yet the Rebels, besides pardon, obtain some concessions from the Republick.*

C H A P. X.

§. I. *The Romans, by these condescensions to the Rebels, lose credit among their neighbours. Privernum revolts, but is quickly reduced by C. Plautius Hypsæus (now the 2d time Consul.) His Collegue L. Æmilius lays waste the country of the Samnites, who thereupon sue for peace, and an alliance with Rome. These being obtained, they turn their arms once more against the Sidicini, who being refused succour by the Senate at Rome, even upon the terms of being subject to the Republick, give themselves to the Latines, already in arms, to recover their independence. The Campanians join the Latines. An army, formed of these three nations, enters Samnium, but soon retires.* §. II. *The Samnites send an embassy to the Republick, to complain of her suffering the Latines and Campanians to commit hostilities in Samnium. They receive an answer unsatisfactory to them, offensive to the Campanians, and which, seeming to betray a sense of weakness in the Romans, elates the spirits of the Latines. Manlius Torquatus is promoted (a 3d time) to the Consulate with P. Decius Mus. Alexander King of Epirus, uncle of Alexander the Great, comes into Italy on the invitation of the Tarentines, to make war with the Bruttians, and concludes an alliance of friendship with Rome.* §. III. *The Romans summon ten of the Latine Chiefs to appear at Rome, and give account of their preparations for war. The Latine Council send L. Annius with nine more to Rome, to demand, as the condition of renewing the alliance between the two nations, that one of the Consuls and half of the Senate of Rome be for the future chosen out of the LATINES. This demand is re- LATINE*
jected with indignation, and war is declared. §. IV. *Manlius and Decius* WAR.
having marched two armies into the field, and incamped near the enemy, dream both of them the same dream concerning the event of the war. §. V. *The* Severity of
Consul Manlius causes his own son to be beheaded, for having fought in single Manlius
combat with one of the enemies officers, tho' he proved victorious; because he Torqua-
had fought without leave from his General. §. VI. *The Romans come to tus.*
a battle with the Latines. The wing where the Consul Decius commands Devote-
beginning to lose ground, he, to recover the day to his party, and pursuant to ment of
the interpretation which had been given of his dream, devotes himself to DECIUS.
death, rushing alone into the thickest of the enemy. His troops getting fresh
courage and strength from superstition, and Manlius conducting the battle with
great skill, the Latines are totally routed, and fly to Minturnæ. Manlius
gives them a second overthrow, after which both they and the Campanians
submit, and are most of them dispossest'd of their lands. §. VII. *In the fol- 414.*
lowing Consulate of Q. Publilius and T. Æmilius some of the Latines rebel,
and form two armies. Publilius succeeding in an expedition against one of
them, is decreed a Triumph. Æmilius, not having equal success against the
other, is refused that honour. Hereupon he inveighs against the Senate, and
incites the People to sedition; and because the Senate, to prevent disturbances,
orders him to name a Dictator, he in revenge nominates to that dignity his Ple-
beian Collegue. The Dictator, during his whole administration, employs his

power and influence for the advantage of the Plebeians and obtains some laws in their favour. The Senate to pique Æmilius, tender of his honour, enable the
 415. next year's Consuls, L. Furius Camillus and C. Mænius, to finish with glory the war which he had left unfinished. §. VIII. The Romans determine the
 LATINES fate of the several conquered Cities. The Latines, from being Allies, are
 subjected. made Subjects of Rome.

C H A P. XI.

416. §. I. In the following Consulate of C. Sulpicius Longus and P. Ælius
 PLEBBIAN Pœtus, PUBLILIUS, tho' a Plebeian, obtains the PRÆTORSHIP; so that all
 PRÆTOR. the great Dignities in the State, except those of the Priesthood, are now com-
 mon to the two Orders. From this year 416, to the year 425, the most me-
 morable events are, The invention of Moveable Towers and Cover'd Galleries,
 418. by the Consul M. Valerius Corvus (in the year 418) at the siege of Cale, the
 chief City of the Aufones, allies of the Sidicini. The Republick's changing
 the custom of raising a new army upon every change of Consuls. The reduction
 of the Sidicini (probably in 420.) The addition of two new Tribes (in 421)
 Two new Tribes. to the 27 old ones. A plot formed (in 422) by some hundreds of Roman Wo-
 422. men to poison their Husbands. The revolt of Privernum (in 423) the reduc-
 PRIVERN- tion of that City (in 424) and the courageous and noble answer given by one of
 tes. the Citizens, when questioned by the Roman Senate concerning the conduct
 424. which the Privernates would observe for the future.

C H A P. XII.

425. §. I. The next year (in the consulate of C. Plautius Proculus and P. Cor-
 nelius Scapula) the Romans give umbrage to the Samnites, by planting a
 Colony in their neighbourhood. And the Palæopolitans make an irruption in-
 to the Roman Territory. §. II. A remarkable instance of the Romans ab-
 horrence of Malice, in the prosecution of a criminal. §. III. The Fasces be-
 426. ing transferred to Q. Publilius (now a 2d time Consul) and L. Cornelius
 Lentulus, the former marches an army against the Palæopolitans. Cornelius
 incamps another near Capua, to keep in awe the Campanians, who are thought
 to be gain'd over by the Samnites, between whom and the Republick there is a
 427. new rupture. §. IV. The next year's Consuls, C. Pœtelius Libo and L.
 Papirius Mugillanus, having their forces strenghtened by the Lucanians,
 and Apulians, take some Towns from the Samnites. And Publilius (who
 with the Title of PROCONSUL is continued* at the head of the same army he
 had commanded the last year when Consul) takes Palæopolis by means of a
 stratagem laid and executed by two of the Citizens. For this exploit Publilius,
 tho' but a Proconsul, is decreed a TRIUMPH. §. V. The Tarentines hav-
 ing lost their protector King Alexander of Epirus, and being jealous of the
 growing power of Rome, by an artful stratagem deprive her of all assistance
 from the Lucanians, seducing them into a league with the Samnites. §. VI.
 A Procon- About this time the infamous passion of a Roman, named Papirius, for one
 sul tri- of his insolvent Debtors, occasions the passing of a law at Rome, by which
 umphs. CREDITORS are disabled from seizing the Persons of their DEBTORS.

A Law in favour of Debtors.

C H A P. XIII,

§. I. *The Vestini, a People on the coast of the Adriatick sea, take arms against Rome, in the Consulate of L. Furius Camillus and D. Junius Brutus. Brutus defeats them in battle.* §. II. *Camillus, who was to act against the Samnites, falling sick, names to the Dictatorship L. Papirius Cursor, who appoints Quintus Fabius Rullianus to be his General of the Horse. The Dictator having taken the field against the Samnites, returns soon after to Rome on account of some Religious Scruple, but first forbids Fabius to hazard a battle with the enemy during his absence. Fabius nevertheless attacks the Samnites, and gains a notable victory; after which he burns all the spoil, that it may not do honour to the Dictator, by being carried in his Triumphal Procession. Papirius hastens back to the camp to punish his disobedient General of the Horse. Fabius is rescued out of the hands of the Lictors, and escapes to Rome. His father immediately gets the Senators together, in order to obtain a favourable decree for him. Papirius arrives on a sudden, takes his place in the Senate, and orders his Lictors to seize young Fabius. The father hereupon appeals to the People. Papirius, tho' the thing is unprecedented, does not dispute the legality of the appeal; but the People themselves, when the affair comes before them, are unwilling to interpose their Authority; they chuse rather to become intercessors with the Dictator, who at their request pardons the offender.* §. II. *Papirius returns to the camp with a new General of the Horse, and finding his army ill affected to him, because of his severity in command, changes his manner on a sudden, becomes familiar with his soldiers, and in a little time gains their affections. After which he reduces the Samnites to sue for peace.* §. IV. *The Senate grant the Samnites only a year's truce, which the latter break so soon as they hear that Papirius has quitted the Dictatorship: They are joined by the Apulians. Little progress is made in the war this year, when C. Sulpicius Longus and Q. Aulius Cerretanus are Consuls. But their successors, Q. Fabius (who had been General of the Horse to Papirius) and L. Fulvius Curvus, by skilful conduct obtain a compleat victory over the enemy.* §. V. *The Samnites repenting of their breach of the Truce, endeavour to pacify the Romans by making restitution of what plunder they had taken contrary to the faith of the Treaty.*

428.

Papirius
Cursor and
Q. Fabius.

429.

430.

431.

C H A P. XIV.

§. I. *The Samnites being refused a Peace, notwithstanding the satisfaction they have made for the breach of the Truce, prepare to carry on the war with vigour: and they appoint one Pontius, an able officer, to be their General. At Rome T. Veturius and Sp. Posthumius are chosen Consuls. Pontius by a stratagem draws these Generals with their Legions into a dangerous pass (called afterwards the Caudine Forks) where they are surrounded by the Samnites, and have no possibility of forcing their way out of it. The Samnite General being undetermined in what manner to treat the Romans, is advised by his father, either in a friendly way to set them all free, or without mercy to cut them all*

432.

Caudine
Forks

all

all off. *The son, rejecting this advice, will spare the lives of the Romans, but demands as the condition, That they all pass unarm'd under the Yoke, Officers and Soldiers; that they engage to draw all their forces out of Samnium, and give hostages for the performance of this article. The Romans; after some demur, submit to the terms imposed, being exhorted to it by L. Leptulus, a considerable Officer in the army. The Consuls, at their return to Rome, being ashamed to appear in publick, instantly name a Dictator to hold the Comitia for electing new Consuls. This election however is not made till the Government falls into an Inter-regnum. §. II. And then the Fasces are given to Papirius Cursor (a 2d time) and to Publilius Philo (a 3d time.) The Treaty made with the Samnites being laid before the Senate, Posthumius (one of those Consuls who had been parties to it) declares that the Roman People are not bound by it, as not being made by their orders; that the honour of the Republick will be saved by surrendering him and the rest of the Officers concerned in that Treaty to the Samnites, which he moves may be forthwith done. This proposal is approved, and put in execution by a Fecialis appointed thereto; but Pontius, the Samnite General, reproaching the Romans with baseness and breach of faith, refuses to accept the prisoners in satisfaction of the Treaty. §. III. Satricum revolts from the Romans; and the Samnites surprize Fregellæ, a Roman Colony, and, after a promise of quarter, burn the inhabitants alive. C. Mænius, being appointed Dictator to take cognizance of treasonable practices, and alledging all canvassing for Officers to be Treason against the State, cites several Patricians to trial on accusations of that sort; but he is forced, by the clamour of the whole body of the Nobles, to desist; and being himself accused of the same crime, abdicates his office, stands a trial, and is acquitted.*

C H A P. XV.

§. I. Cornelius Lentulus being created Dictator, leads an army against the Samnites incamped near Caudium, and gives them a great overthrow. Papirius Cursor, his General of the Horse, takes from them Luceria (in Apulia) and rescues the 600 Roman Knights, who had been given as Hostages upon the Treaty with Pontius. §. II. Papirius is chosen (a 3d time) and Q. Aulius Cerretannus (a 2d time) to the Consulate. The latter takes Ferentum, the former recovers Satricum from the Samnites. The Character of Papirius. §. III. In the Consulate of L. Plautius and M. Fostius, a two years Truce is granted to some Cities of Samnium. The Roman arms prosper in Apulia. Campania is turned into a Roman Præfecture. Two new TRIBES are formed, which make the whole number 31. §. IV. The next year (Q. Æmilius and C. Junius being Consuls) all Apulia is subdued. Antium receives laws from Rome for its future government. The succeeding Consuls, Sp. Nautius and M. Popilius, name a Dictator, to begin the siege of Baticula, a Campanian City in alliance with the Samnites; and notwithstanding that those two great men, Papirius Cursor and Publilius Philo, are both chosen (the 4th time) to the Consulate for the year following, the carrying on of that siege is committed to another Dictator Q. Fabius, the enemy and rival of Papirius. Fabius having taken

taken Saticula, marches to besiege Sora (in the country of the Volsci) which had gone over to the Samnites. By an artful stratagem he defeats the Samnites in the field, but leaves the siege of Sora to be finished by the next year's Consuls, M. Pætilius, and C. Sulpicius (who is now chosen the third time.) 439. These Generals take Sora by means of a stratagem suggested to them by a deserter from the place. §. V. The Romans surprize three Cities of the Ausones in one day. Luceria in Apulia rebels, and is again reduced. The Samnites are once more defeated in battle by the Romans. The next year, when L. Papirius Cursor (a fifth time) and C. Junius Brutus (a second time) are Consuls, C. Postilius Libo is named Dictator to carry on the war. He recovers several Cities from the Samnites. The year following, when M. Valerius and P. Decius are in the Consulate, the Romans being alarmed with the apprehensions of a war with all Hetruria, appoint C. Sulpicius Longus Dictator to conduct it; but no hostilities ensue on either side. 440. 441.

C H A P. XVI.

§. I. Appius Claudius, one of the Censors of Rome, displeases the Senate, by admitting the SONS OF FREED MEN into that Body. The People reform this abuse the next year (when C. Junius (the third time) and Q. Æmilius (the second time) are Consuls) and make some new regulations. 442. §. II. Æmilius routs the Hetrurians. §. III. During the administration of Q. Fabius (a second time Consul) and C. Marcius, the censor Appius obstinately refuses to quit his office, though his eighteen months (the legal time for its duration) are expired, presuming on the favour of the People, because he had made an Aqueduct to bring water to Rome, and a fine road between that City and Capua. He is prosecuted before the People; seven of the Tribunes are against him, but the other three taking him under their protection, he carries his point, and keeps his post. 443. APPIUS CLAUDIUS CENSOR.

C H A P. XVII.

§. I. The Consul Fabius defeats the Hetrurians in battle near Sutrium. He penetrates into the Ciminian Forest, deemed impervious; after which he gives the enemy a second overthrow. §. II. The Roman army, under the Consul Marcius, not having equal success against the Samnites, and the Consul falling sick, the Senate orders Fabius to name Papirius Cursor (the man he most hates) to be Dictator to carry on that war. Fabius, after some struggle with himself, complies. §. III. He continues (with the title of Proconsul) to conduct the war against the Hetrurians, and routs them once more, though the soldiers of their army had bound themselves by oaths to conquer or die. 444. §. IV. The Dictator Papirius is no less successful against the Samnites, who, to raise the courage of their Troops, had given them finer arms than usual. He returns to Rome, and, being now very old, retires

445. tires for the rest of his life from publick business. §. V. Q. Fabius (a third time) and P. Decius Mus, (a second time) are chosen Consuls. Fabius conducts the war with success against the Samnites, assisted by the Marfi and Peligni. Decius reduces the Hetrurians to sue for an Alliance with Rome, but they obtain only a truce for one year. He subdues all Umbria. §. VI. Appius Claudius, the Censor, is chosen to the Consulate with L. Volumnius. Appius stays at Rome, while Fabius (in quality of Proconsul) carries on the war prosperously in Samnium, and Volumnius leads an army with success against the Salentines. In the following Consulate of Q. Marcius and P. Cornelius the HERNICI rebel, and are subdued; and the SAMNITES are twice defeated. 446. The Falces being transferred to Posthumius Megellus and Tib. Minucius, the Romans gain two more victories over the Samnites, but Minucius is slain 447. in the second battle. §. VII. In the succeeding Consulate of Sempronius Sophus and P. Sulpicius Saverrio, the Samnites request and obtain a renewal of their old alliance with Rome. The ÆQUI, who had lately rebell'd, are totally subdued. 448. 449.

C H A P. XVIII.

- §. I. The renowned Q. FABIVS being CENSOR this year, acquires the surname of MAXIMUS, for his reformation of an abuse introduced by APPIUS, who had dispersed great numbers of the Freed Men and meanest of the People into all the Rustick Tribes, thereby to influence the Elections according to his own humour. (Of Flavius, who had been a Scribe, is by the strength of this base faction raised to the Curule Ædileship.) Fabius reconfines those mean fellows to the four City Tribes. 450. §. II. The next year (when Cornelius Lentulus and L. Genucius are Consuls) is spent chiefly in sending Colonies to the Conquer'd Cities. In the succeeding Consulate of Livius Denter and Æmilius Paulus, the art of Painting is introduced at Rome by C. Fabius, surnamed 451. PICTOR. Cleonymus, son of Cleomenes, King of Sparta, brings a fleet upon FABIVS PICTOR. the coast of Italy, and makes two descents there without success. 452. §. III. All the following year the Republick is govern'd by two Dictators, successively created, Q. Fabius and Valerius Corvus. The former quells an insurrection of the Marfi; the latter obtains a signal victory over the Hetrurians, to whom afterwards a Truce is granted for two years.

C H A P. XIX.

453. §. I. In the year of Rome 453, when Valerius Corvus is the fifth time Consul, and has Q. Apulius Panfa for his Colleague, a LAW is passed at the motion of two Tribunes, of the name of Ogulnius, to qualify PLEBEIANS for the Pontificate and Augurate. §. II. The Lex Valeria is confirmed anew. PLEBEIAN §. III. Q. Fabius Maximus declines the Consulship, to which the People would again raise him, and at his own request obtains the Curule Ædileship, in which office he gains new glory. PONTIFICES and AUGURS.

C H A P. XX.

§. I. *The Hettrurians break the Truce with Rome, in the Consulate of M. Fulvius Pætinus and T. Manlius Torquatus. Picenum obtains an alliance with the Republic. The Consul Manlius, who was to act against the Hettrurians, being killed by a fall from his horse, Valerius Corvus is by every voice in the Comitia declared Consul (the 6th time) to succeed him. The very presence of so renowned a warrior strikes a terror into the enemy; they quit the field, and retire into their Towns, (This was the last Military expedition of that great man, who lived to an hundred years of age. §. II. In the close of the following Consulate of Cn. Fulvius and L. Cornelius Scipio, a report being spread, that both the Hettrurians and the Samnites (which last had broke their alliance with Rome) were making mighty preparations to attack the Republic, the Romans cast their eyes on the great Fabius to be one of their Consuls for the new year, and they oblige him to accept the office contrary to his inclination; but, at his request, gave him P. Decius Mus (who had been Consul with him in the year 445) to be his Colleague. The Hettrurians, instead of taking the field, come to a resolution to ask peace; so that the Consuls march their two armies into Samnium, and make terrible devastations in that country.*

C H A P. XXI.

§. I. *Appius Claudius, who two years before had made a fruitless attempt to exclude the Plebeians from the Consulate, endeavours now with the same view to get the Consular Fasces for Fabius and himself. Fabius being president in the Comitia, opposes his own re-election; whereupon Volumnius Flamma, a Plebeian, is joined with Appius in the Consulship. Fabius and Decius (in quality of Proconsuls) are continued in the command of their respective armies for six months longer. Fabius binds the Lucanians from joining the Samnites. Decius gains great advantages over the latter, to compleat whose destruction Volumnius marches a new army into Samnium. §. II. But he soon after leaves that country to go to the assistance of his Colleague Appius, much embarrassed with a war against the Hettrurians, strengthened by a body of Samnites and another of Gauls. Appius pretends to be displeased with his arrival, upon which Volumnius offers to lead back his army into Samnium: But the troops of Appius oppose this motion. The united armies of the two Consuls come to a battle with the enemy, and totally defeat them. §. III. After this Volumnius returns into his own province, and gains a new victory over the Samnites, who (after Fabius and Decius, whose Proconsulate was expired, were returned to Rome) had made an incursion into Campania.*

Appius
Claudius
and Vo-
lumnus.

C H A P. XXII.

Fabius and
Decius.

453.

Devote-
ment of
DECIVS.

§. I. *The Republick being alarmed by accounts from Appius, of extraordinary preparations for war by the Hettrurians and their allies, (the Umbrians, Gauls, and Samnites) elect Fabius (the 5th time) to the Consulate, and, at his request, the Comitia grant him Decius again for a Collegue, tho' the first Centuries have already voted for Volumnius. Volumnius himself approves of the request.* §. II. *A rivalry happens at this time between the Patrician and Plebeian Ladies for the reputation of strict Chastity.* §. III. *When the time comes for the Consuls to take the field, the Senate decree the conduct of the war against the Hettrurians to Fabius. Decius (to comply with the humour of his party, the Plebeians) refuses to yield that command to his Patrician Collegue, unless it fall to him by lot; and he appeals from the Senate's decree to the People. The People having heard the pleas of the two competitors, and consider'd the present exigence, determine in favour of Fabius as the greater General.* §. IV. *Fabius in his way to the camp being informed that Appius has fortified it in such an extraordinary manner as betrays fear, sends orders before him immediately to level the fortifications: and after his arrival, instead of shutting up his soldiers within Lines, he keeps them in constant motion by frequent marches and counter-marches. Before he enters upon action, he returns to Rome, but for what reason is uncertain. The Senate that he may be able to contend with the enemy, judging it necessary to strengthen him by a second army, Fabius desires that his Collegue Decius may be the General to command it; which request is granted. The Consuls, having sent Volumnius with an army into Samnium, and leaving two other armies incamped near the city, to cover it on the side of Hettruria, take the field. The forces of the enemy are divided into two bodies, which incamp separately: One consists of Samnites (who had been driven out of their own country) and Gauls; the other of Hettrurians and Umbrians. Fabius ordering the two armies he had left near Rome to go and ravage a part of Hettruria, the Hettrurians and Umbrians march away to defend it, and in their absence the Consuls come to a battle with the united Gauls and Samnites. The left wing of the Romans, which Decius commands, being terrified and broken by the armed Chariots used by the Gauls, he, to recover the courage of his men, devotes himself to death in the same manner his father had done on the like occasion. After this Fabius obtains a compleat victory.* §. V. *Before the end of the year the Samnites raise two new armies, which are routed by the forces of Appius, now Prætor of Rome, and the Proconsul Volumnius. Rome is afflicted by a Plague, and terrified by Prodigies.*

CHAP. XXIII.

§. I. L. Posthumius (*the second time*) and M. Atilius Regulus are chosen 459.
 Consuls. Posthumius falling sick, the war is carried on against the Samnites by Atilius at the head of only one Consular army. The Samnites have the advantage in this campaign, till Posthumius, being recovered, brings a second Roman army into the field; they then retire, and leave their country open to be pillaged. While Posthumius is employed in taking some of their Towns, Atilius marches to the relief of Luceria (in Apulia) besieged (as he was told) by the Samnites. He meets the enemy in his way, and comes to a battle with them, the success of which is such, that neither army cares to try a second engagement. Their situation however forces them to it; and then Atilius, by singular bravery and skill, obtains the victory. §. II. In the mean time Posthumius, without orders from the Senate, leaves Samnium, and marches into Hetruria, where he reduces three of the Lucumonies to sue for peace. Nevertheless, the Fathers, at his return to Rome, refuse him a Triumph, because of his irregular proceedings. He obtains it however by the favour of the People. §. III. In the new Consulate of L. Papirius Cursor (son of the famous Papirius) and Sp. Carvilius, the Samnite war is continued. 460.
 The Samnites make 16000 of their soldiers bind themselves by oaths and imprecations to conquer or die: Their whole army consists of 36000. While Carvilius lays siege to Cominium, in the eastern extremity of Samnium, Papirius leads his forces against the formidable army of the enemy, incamped near Aquilonia in Hirpinia. He gains the victory by the new stratagem of making the Muleteers and other servants of his army (whom he mounted upon Mules, and sent to some distance) appear in the heat of the action, like a new army come to his assistance. §. IV. Carvilius takes Cominium; after which the two Consuls join their forces to compleat the destruction of the Samnites. But the war breaking out afresh in Hetruria, Carvilius leads his army into that country, and reduces the enemy to buy a truce for a year. Both the Consuls have Triumphs. In this year a Sun-dial is the first time seen at Rome. Sun dial.
 §. V. A new regulation is made at Rome, relating to the Guardianship of Orphans, and another relating to the Publick Games.

CHAP. XXIV.

§. I. Q. Fabius Gurges (son of Fabius Maximus) is chosen to the Con- 461.
 sulate, though his father had opposed his promotion. The Collegue given him is Junius Brulus Scæva. Neither the one nor the other is well qualified to conduct an Army. Junius however being well assisted by Carvilius, the late Consul, makes a successful expedition against the Falisci in Hetruria. But Gurges, through his ill conduct, is shamefully vanquished in a battle with the Samnites.

A Snake
imported
to stop the
plague.
462.

463.

CURIUS
DENTATUS.

464.

465.

466.

467.

Samnites. *The People of Rome having resolved to punish him, old Fabius pacifies them, by offering to serve under his son the remainder of the Campaign. Gurgus, assisted by his Father's counsel, obtains a glorious victory over the enemy; and Pontius, the famous Samnite General, is taken prisoner.* §. II. *The Romans, to put a stop to the Plague, send Ambassadors to bring from Epidaurus the God Æsculapius, worshipp'd there under the form of a serpent.* §. III. *The God arrives on the beginning of the next Consulate of L. Posthumius (now the third time chosen) and Junius Brutus Bubulcus. Posthumius proudly assumes to himself the conduct of the war in Samnium, without drawing lots with his Collegue, or waiting for a decree of the Senate in his favour. When he comes into the field, he, contrary to the will of the Senate, obliges Fabius Gurgus, now Proconsul, to desist from the siege of Cominium (which had been retaken by the Samnites) and leave it to him. He takes that town and another. The Senate, nevertheless, to punish his disobedience, mortify him in several instances; and in the succeeding Consulate (of P. Cornelius Rufinus and Manius Curius Dentatus) he is fined by the People for a misdemeanour during his Magistracy.* §. IV. *The Consul CURIUS (a Hero famous for living in a voluntary poverty) reduces the Samnites to ask PEACE, which is now granted them the 4th time, on the conditions prescribed by Curius, whom they in vain endeavour to bribe.* §. V. *He reduces SABINIA to a state of subjection to the Republick, and has two Triumphs decreed him for his exploits in one year. He is afterwards accused of embezzling some of the spoil taken from the enemy, but is honourably acquitted.* §. VI. *In quality of Proconsul he carries the war into Lucania, the new Consuls, M. Valerius Corvinus and Q. Coedicus Noctua, spending their whole year in works of peace, and in sending Colonies to the conquer'd Cities. To relieve the Prætor of Rome, three new judges are created to try Malefactors. The cruelty of a Creditor to his Debtor, for whom, he had conceived an infamous passion, occasions great commotions in Rome in the second Consulates of Q. Marcius Tremulus and P. Cornelius Arvina, and a new Secession of the People in the following year, when M. Claudius Marcellus and C. Nautius Rutilus are Consuls. The Patricians, to effect a reconciliation, are obliged to make concessions. Fabius Maximus, in his old age, is made Dictator, to finish the accommodation; which done, he presides in the Comitia, where M. Valerius Potitus and C. Ælius Pœtus are chosen Consuls. He soon after dies. The year of the new Consuls proves barren of great events.*

C H A P. XXV.

468.

469.

§. I. *Nothing memorable happens the next year, when C. Claudius Canina and M. Æmilius Lepidus are Consuls. But in the following Consulate of C. Servilius Tucca and L. Cæcilius Metellus the Tarentines endeavour privately to stir up both old and new enemies against Rome. The Gauls, called*

Sannones

Senones, murder some Roman Ambassadors, who had been sent to persuade them to desist from the siege of Arretium in Etruria; and they soon after give the Roman army, under the conduct of Cæcilius, a terrible overthrow. Curius Dentatus revenges this defeat by leading an army into the country of the Gauls, and laying it waste. §. II. The next year the Romans, under the Consuls 470. P. Cornelius and Cn. Domitius, vanquish in battle the Senones, the Boii, and the Etrurians. The Samnites revolt. In the succeeding Consulate of 471. C. Fabricius and Q. Æmilius Papus, almost all Italy rises in arms against the Republick. Fabricius defeats the confederate forces of the Lucanians, Brutians, and Samnites. The Romans imagine that the God Mars had fought in person for them. §. III. The Tarentines, who had not yet openly appear'd against Rome, fall in a hostile manner upon a Roman fleet, which chanced to come into their port. The Romans send to demand satisfaction. The Tarentines insult the Ambassadors in the most outrageous manner, and then turn their thoughts to seek an alliance with Pyrrhus King of Epirus, and to invite him into Italy. [A short account of this Prince, and the state of his affairs at this time.] §. IV. The Senate of Rome having long debated, whether to begin a war immediately with the Tarentines, or to defer it, determine for the first, and the People confirm their Decree. L. Æmilius 472. (who, with Q. Marcius, is now in the Consulate) marches an army directly for Tarentum. The mad and ridiculous behaviour of the Citizens on his approach. They resolve to invite Pyrrhus to their assistance. Æmilius endeavours to make them lay aside this design, by generously releasing some Tarentine prisoners he had taken. §. V. Pyrrhus accepts the invitation, and sends before him to Tarentum the famous Cyneas with 3000 men, who take possession of the Citadel.

The Tarentines.

C H A P. XXVI.

§. I. P. Valerius Lævinus and Tib. Coruncanius are chosen Consuls at 473. Rome. Pyrrhus (whose Character is given) being arrived at Tarentum (after escaping shipwreck by a storm which dispersed his Fleet) takes measures to turn the Tarentines from the pursuit of Pleasures, to which they are entirely addicted; and he makes himself absolute master in the place. In the mean time the Romans send Fabricius to visit their Colonies and Allies, with whom they are fallen into some discredit, through the villainous behaviour of a Legion of Campanian Soldiers, which had been sent by the Republick to garrison Rhegium at the request of the inhabitants, and which had massacred the Citizens, and seized the City for themselves. §. II. Pyrrhus bearing at Tarentum that the Consul Lævinus has march'd an army into Lucania, takes the field. He sends a letter to the Consul, incamp'd near Heraclea, requiring him to submit the quarrel between Rome and Tarentum to his arbitration. Lævinus, in answer, returns a defiance. Pyrrhus takes a view of the Roman camp, and admires the order of it; and his confidence of success in the war being thereby abated, he resolves to wait for the junction of his allies before he hazards a battle; but the Romans force him to fight. He

KING
PYRRHUS
allies in
Italy.

Garrison of
Rhegium.

FABRICI-
US.APPIUS
CLAUDI-
US, THE
BLIND.

gains the victory by means of his Elephants. §. III. After this success Pyrrhus forms Designs upon Capua and Naples. Disappointed in these designs, he marches towards Rome with an intention to besiege it. But hearing that the Consul Coruncanius, who had subdued all HETRURIA, is coming with his victorious army against him, he marches back into Campania, where Lævinus having recruited his forces, offers him battle once more. The King declines it, and returns to Tarentum. §. IV. Hither Fabricius and two other Senators from Rome come to treat with him concerning the ransom of Prisoners. He has some private conversation with Fabricius. The King resolves to send Cyneas to Rome with proposals of Peace, one of the conditions of which is to be a release of the Roman prisoners without Ransom. Cyneas comes to Rome, and employs all his arts to effect his desires; but the Senate, moved chiefly by a spirited speech of Appius Claudius the Civilian, (now blind) unanimously refuse to enter into any treaty of Peace with the King while he continues in Italy. Cyneas returns to Tarentum, full of admiration of the Romans.

C H A P. XXVII.

474.

§. I. The next year the Romans, under the conduct of their new Consuls, P. Sulpicius Saverrio and P. Decius Mus, come to a second battle with King Pyrrhus, near ASCULUM in Apulia. The circumstances and event of this action are not well known. Pyrrhus retires to Tarentum, and the Consuls into winter-quarters. §. II. The year following, when C. Fabricius and Q.

475.

Æmilius Papus (both a second time) are Consuls, the Carthaginians send a fleet to the assistance of the Romans against Pyrrhus, who, they fear, will invade their dominions in Sicily, if he should conclude a Peace with the Romans. (He had been invited thither by the Sicilians.) The Senate refuse the assistance offer'd, yet enter into a Treaty with Carthage. §. III. The Romans and Epirots having again taken the field, and the two armies lying in sight of each other in the territory of Tarentum, the Consuls send a letter to the King, giving him notice of the treachery of his Physician, who had offer'd to poison him for a reward. Pyrrhus, in return for their generosity, releases the Roman Prisoners, and once more sends Cyneas to Rome with proposals of peace, but to no effect. §. IV. Pyrrhus leaving a garrison in Tarentum, passes with his army into SICILY.

Pyrrhus
goes into
Sicily.

C H A P. XXVIII.

476.

§. I. The state of Sicily at the time of Pyrrhus's arrival there. He makes rapid and extensive conquests in the island. §. II. In the mean time the Romans chuse Cornelius Ruffinus and C. Junius Brutus to the Consulite. These Generals lead their forces against the Samnites, advantageously posted in their mountains, and suffer a shameful defeat. After this, Ruffinus by a stratagem takes Croton from the Bruttians. Locris submits to the Romans, the inhabitants having just massacred the garrison which Pyrrhus had left there.

§. III.

- §. III. *The Romans (under their new Consuls Q. Fabius Gurges and C. Genucius) continuing the war with success against the Samnites, Lucanians, and Bruttians, these nations send to intreat Pyrrhus to return to their assistance. The King's affairs in Sicily being now in a bad way, he is glad of so honourable a pretext to leave the Island. His fleet, in its return to Italy, is dispersed and partly destroyed by the Carthaginian fleet. After his landing near Rhegium, he is attacked in his march to Tarentum, by a body of Mamertines (who had passed the Straights expressly) and suffers a considerable loss. He lays waste the territory of the Locrenses, and plunders the Temple of Proserpine.* *Returns to Italy.*
- §. IV. *Curius Dentatus (a 2d time) and L. Cornelius Lentulus are raised to the Consulate at Rome. The People, from some unaccountable caprice, being unwilling to enlist themselves for the war, Curius confiscates the goods of the first man who refuses, and sells the man himself for a slave, and by this example of severity gets the better of the People's obstinacy. Two armies are raised. While Lentulus leads one into Lucania, Curius leads the other into Samnium, where he comes to a battle with the Epirots in the Taurasian fields, and gives them a total overthrow. He takes their camp; and the Romans admiring the form of it, resolve to make it the future model of their own.* *Embarks for Epirus.*
- §. V. *Pyrrhus leaving a strong garrison in Tarentum, embarks for Epirus under pretence of going to fetch recruits.*

C H A P. XXIX.

§. I. *The Consul Curius has a pompous Triumph for his victory over King Pyrrhus, but he refuses what other rewards the Senate offer him. Ruffinus (who has been Consul and Dictator) is by the Censors struck out of the list of Senators for having too much Silver Plate.*

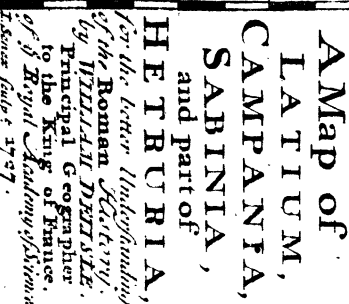
§ II. *Curius is continued for another year in the Consulate, and has for his Colleague Cornelius Merenda. The Tarentines beginning to despise Pyrrhus, force the garrison he had left there to confine themselves in the Citadel. Curius forces the Samnites and Lucanians to retire for refuge to their mountains. But they appear again in the field the next year, when C. Fabius Dorso and C. Claudius Carina are the Roman Consuls. Claudius defeats them in a pitched battle.*

§. III. *Ptolemy Philadelphus sends an Embassy to Rome, to ask an alliance with the Republick. The Romans send Ambassadors into Ægypt.*

§. IV. *The new year's Consuls, L. Papirius Cursor and Sp. Carvilius (both promoted a 2d time) have scarce enter'd Samnium with two armies, when a certain account comes that Pyrrhus is dead. [The manner of his death is related.] This news throws the SAMNITES into despair; they put all to the hazard of a battle, are defeated, and thereby totally subdued by Papirius, after a war which had lasted 72 years. The BRUTTIANS and LUCANIANS submit soon after; and Papirius by negotiation prevails with Milo and the Tarentines to put their City and Citadel into the hands of the Romans; after which the Carthaginians, whose fleet lay before Tarentum, and who seem to have had a design upon it, sail away from the coast.* *Death of PYRRHUS.*

§. V. *The Consular Easces are transferred to Quinctius Claudius and L. Genucius; and the*

- Rhegium
taken. 483. Romans being now in a condition to punish the perfidious Campanian Legion, which had formerly seized RHEGIUM, bessege it, carry the place, restore it to those of the old inhabitants who had escaped the massacre, and put all who remain of the Legion to death. §. VI. The following Consulate of C. Genucius and Cn. Cornelius produces nothing of moment; and the most memorable thing that happens under the administration of their successors, Q. Ogulnius and C. Fabius Pictor, is the Coining of Silver Money at Rome for the first time. §. VII. The next year, when Appius Claudius (son of Appius the Blind) and P. Sempronius Sophus are Consuls, Picenum is totally subdued, and the SABINES are made entirely Roman, by being admitted to the right of suffrage in the Roman Comitia. §. VIII. The Consuls of the following year, 486. L. Julius and M. Atilius Regulus, commence a war with the Salentines; and this nation, together with the Sarcinates in Umbria, being entirely subdued by the succeeding Consuls, Numerius Fabius and D. Junius Pera, Rome becomes thereby mistress of all the Countries in ITALY from the remotest part of Hetruria to the Ionian Sea, and from the Tyrrhenian Sea to the Adriatick. §. IX. The Republick is now courted by foreign States. The Ambassadors from Apollonia in Macedon being insulted by some of the Citizens of Rome, the offenders are deliver'd up to the Apolloniates, and a law is passed to make the like practice general in like cases. In the Consulate of Q. Iulius Gurges and L. Mamilius Vitulus, the Romans regulate their Finances, and 488. appoint four Provincial Quæstors for the four Provinces into which they divide Italy.
- Silver Money coined. 484. 485.
- Provincial Quæstors.



543.
The places which furnish us with them are distributed from the north to the south of Barbentum, the latter the source of Dubentum, Coccantium, quercetula & Tricinctum, the two, however, are no less uncertain.

Scale

Roman. *Also of good feel with*

122

Roman. History.

FIRST BOOK.

CHAP. I.

Of the Original of the *Romans*, and the Building of *Rome*.

Sect. I. *The first Romans were of Trojan extraction.* §. 2. *Æneas's voyage to Italy.* §. 3. *The ancient inhabitants of that country.* §. 4. *Æneas's reception by Latinus, King of Latium. He marries Lavinia the daughter of Latinus, and builds Lavinium.* §. 5. *He succeeds to the Kingdom of his father-in-law.* §. 6. *The death of Æneas, who is succeeded by his son Ascanius.* §. 7. *Ascanius founds Alba Longa, and yields Lavinium to Æneas Sylvius, the son of Æneas by Lavinia.* §. 8. *The Latines upon the death of Ascanius unite Lavinium and Alba into one dominion, which they decree to Æneas Sylvius, but give the sovereign power in affairs of religion to Iulus the son of Ascanius.* §. 9. *The succession of the Kings of Alba from Æneas Sylvius to Amulius, who dethrones his elder brother Numitor.* §. 10. *The birth, education, and adventures of Romulus and Remus. They dethrone Amulius, and restore their Grandfather Numitor.* §. 11. *Numitor sends his two grandsons to plant a colony. They quarrel about the spot of ground where the new city shall stand. Remus is slain.* §. 12. *ROME is built.*

§. I. **T**HAT *Æneas* came into *Italy* after the destruction of *Troy*, and that the founders of *Rome* were descended from him and his followers, are points of history sufficiently authorized and established. All the *Latine* Historians either expressly relate these facts or suppose them; and many of the *Greek*, less zealous for the *Roman* glory, adhere to the same tradition. *Dionysius* indeed speaks of some ancient writers who will not allow *Æneas* to have travelled farther than *Thrace*; of others who make him settle in *Arcadia*; and again of others, who admitting that he passed into *Italy*, and there planted a colony, yet affirm, that he afterwards went back into his own country, where, they say, he was King of *Troy*, and at his death left the Kingdom to his son

D. Hal. II.
I. p. 39.

p. 43.

Ascanius: But all these opinions are rejected by that critical antiquary, who, upon better authorities, has given us the following account of the adventures of the *Trojan Prince*.

D. Hal. B.
1. p. 36,
& seq.

§. II. WHEN the *Greeks*, by the treachery of the sons of *Antenor*, or by whatever other means it happened, were become masters of *Troy*, *Æneas* with the forces under his command retired into the fortrefs of the city, and defended it bravely for some time; but yielding at length to necessity, he conveyed away his Gods, his father, wife, and children, with every thing he had that was valuable, and, follow'd by a numerous crowd of *Trojans*, fled to the strong places of Mount *Ida*. Hither all those of his countrymen who were more anxious than the rest to preserve their liberty flocked to him from the several towns of *Troas*. His army thus augmented and advantageously posted, he continued quiet, waiting for the departure of the *Greeks*, who, it was imagined, would return home as soon as they had pillaged the country. But these, after they had enriched themselves with the spoils of *Troy* and of the neighbouring towns, turn'd their arms against the fugitives, resolving to attack them in their strong holds upon the mountain. *Æneas*, to avoid the hazard of being forced in his last refuge, had recourse to negotiation, and, by his heralds, intreated the enemy not to constrain him to a battle. Peace was granted him on condition that he, with his followers, quitted the *Trojan* territories; and the *Greeks*, on their part, promised not to molest him in his retreat, but to let him safely pass through any country within the extent of their domination.

Upon this assurance, *Æneas* equipp'd a fleet, in order to seek a settlement in some foreign land. We are told, that at his departure he left his eldest son *Ascanius* with the *Dafylites*, a people of *Bithynia*, who desired to have him for their King; but that the young Prince did not remain long with them; for when *Scamandrius* (*Asryanax*) with the rest of the *Hætoridæ* whom *Neoptolemus* permitted to return home from *Greece*, repaired to him, he put himself at their head, and led them back to their native country.

The *Trojan*, having cross'd the *Hellepont*, arriv'd in the Peninsula of *Pallene*^b, where he built a city, called from him *Æneia*, and left in it a part of that multitude which had follow'd him. From thence he sailed to *Delos*^c, and thence to *Cythera*, where he erected a temple to *Venus*.

He

^a Though this account of *Æneas's* conduct with respect to his country be what *D. Hal.* esteems the most probable, yet he owns that the Historians are of various opinions concerning it, and he particularly mentions a passage of *Menecrates*, importing, that *Troy* was taken through the treachery of *Æneas*, and that he betrayed it to the *Greeks*, to be revenged on *Paris*, who had opposed his having a certain sacerdotal dignity to which he aspired..

^b The *Pallene* here meant was probably that of *Macedon*, not that of *Thrace*; but being inhabited by *Thracians*, is by *D. Hal.* p. 39. spoken of as in *Thrace*. *Livy*, B. 1. c. 1. says, that *Æneas* flying from his native country, came first into *Macedon*. C. & R.

^c *Delos* and *Cythera* are both Islands in the Archipelago or *Ægean Sea*, the first, near the Isle of *Rhène*, has with it at present the common name of *Dik* or *Idalles*. *Cythera* lies

He built another to the same Goddess in ^a *Zacynthus*, in which Island he likewise instituted games, called *The Races of Æneas and Venus*: the statues of both, says *Dionysius*, are standing to this day. In ^b *Leucas*, where the *Trojans* landed, was to be seen in the same author's time, a temple erected to *Venus the mother of Æneas*. Nor were ^c *Ægium* and ^d *Ambracia* without monuments that testified his arrival in those places. At ^e *Dodona* were found brazen vases, upon which the name of the *Trojan* hero, who had made an offering of them to *Jupiter*, was engraven in old characters. Not far from ^f *Buthrotos*, in *Epirus*, a *Trojan* camp, which had escaped the injuries of time, retained the name of *Troja*. All these antiquities, still subsisting in the reign of *Augustus*, were then look'd upon as indisputable proofs of *Æneas's* voyage to *Epirus*; "and that he came into *Italy*, (*adds the same Dionysius*,) we have the concurrent testimony of all ^{p. 39.} the *Romans*; the ceremonies they observe in their sacrifices and festivals bear witness to it, as also the *Sibylline* books, the *Pythian* oracles, and many other things which no body can reasonably reject as invented merely for ornament."

The first land of *Italy* which *Æneas* made, after crossing the *Ionian* ^{p. 41.} Sea, was Cape ^g *Minerva*, in *Iapygia*; and here he went on shore. Sailing afterwards from hence, and coasting along the south-east of *Italy* and the east and south sides of *Sicily*, he arrived with his fleet either by choice or stress of weather at the port of ^h *Drepanum* in that Island. *Elymus* and *Egeus* who had escaped from *Troy* a little before him, had brought a *Trojan* colony to this place. *Æneas* augmented it by a good number of his followers, whom, pleas'd to have found a safe resting ^{p. 42.} place after many dangers and fatiguing voyages, he willingly left behind him at their request; though certain authors pretend that he was constrained to do it by the difficulty of transporting them, because some *Trojan* women, weary of the sea, had burnt a considerable part of his ships.

Æneas leaving *Drepanum*, steer'd his course for *Italy* across the ⁱ *Tyrrhenian* sea. To the cape, where he first landed, he gave the name ^k *Palinurus*, from one of his pilots who died there. The little Island of *Leucasia*, not far distant, whither he sail'd next, got its name in like manner

lies to the east of the *Morea* or *Poleponnesus*, and is now called *Cerigo*.

^a Now *Zante*.

^b Now *Santa Maura*.

^c A Promontory of *Epirus*, now *Capo Figalo*.

^d Formerly a city of *Epirus*, now only a Village, bearing the name of *Ambrakia*.

^e In the country of the *Molossi* in *Epirus*. There are no traces of it remaining.

^f Now *Butrinto*.

^g A Promontory where there was a good

summer haven. It was from this time call'd the port of *Venus*, now *Castro*.

^h Now *Capo di Sant' Alessio*. The town is call'd *Trapani*.

ⁱ The *Tyrrhenian* sea is a part of the *Mediterranean*. It washes the shores of *Tuscany*, the Pope's territories, and the Kingdom of *Naples*. It was called by the ancients *Mare Inferum*, to distinguish it from the *Adriatick*, which they named *Mare Superum*.

^k Now *Capo di Palinuro* in the Kingdom of *Naples*.

D. H. p.
43.

p. 8.

p. 43.

p. 27.

from a daughter of *Aeneas's* sister, who there ended her days. The port of ^a *Misenum*, the Island of *Prochyta*, and the promontory of ^b *Cajeta*, where he successively arrived, were so called from being the burial places, the first of a noble *Trojan* his companion, the second of his kinswoman, and the third of his nurse. At length the *Trojan Prince* and his chosen band finished their tedious and painful voyages on the coast of the since famous *Latium*^c. This was a small territory, on the east side of the river *Tiber*, containing a part of the present *Compagna di Roma*: *Latinus* was the King of it; his capital town, *Laurentum*^d; his subjects, a people who, till his time called *Aborigines*, had from him taken the name of *Latines*. Here, far removed from their implacable enemies the *Greeks*, *Aeneas* and his followers undertook to raise a second *Troy*: they fortified a camp near the mouth of the *Tiber*, gave it the name of *Troy*, and flattered themselves with the hopes of a quiet settlement, a period to all their unhappy adventures.

§. III. *ITALY*^e, according to *Dionysius*, did not get that name till about the time of *HERCULES*: It was before called, by the *Greeks*, *HESPERIA*, and *AUSONIA*, but by the *Inhabitants* *SATURNIA*, from the God *SATURN*, whom they worshipped ^f universally. And, before it acquired this

^a *Capo di Miseno* in the same Kingdom.

^b Now *Gaieta*.

^c *Latium* at this time comprehended but a small part of what was afterwards called by that name.

^d It is difficult to fix the situation of the ancient city of *Laurentum*, of which there is no trace remaining. It was called by that name from the great number of laurels growing thereabouts. *Varro*, B. 4. *de lingua Latina*, p. 36.

^e *Italy* did not anciently contain above one half of what now goes by that name, yet it comprehended many distinct Nations, the principal of which were, the *Aborigines*, *Sabines*, *Utrurians* or *Tuscans*, *Umbri*, *Samnites*, *Campani*, *Apulii*, *Calabrians*, *Lucanians*, and *Bruttians*. The rest was chiefly possessed by the *Gauls* who had driven out the former inhabitants, and by the *Ligures* and *Veneti*.

^f *D. Hal.* tells us (B. 1. p. 27.) that This appears from some *Sibylline Verses*, and other Oracles of the Gods; and that, in his time, there were still, in *Italy*, many temples of *SATURN*; and that several cities and other places, especially rocks and very high hills had derived their names from that of the God; and particularly that the hill *CAPITOLINUS* was anciently called *SATURNIUS*. He mentions, as fabulous, a notion which pre-

valled very much among the people of *Italy*, That *SATURN*, in the *GOLDEN AGE*, was King of their country, and that it had been favoured, more than any other, with the plenty and pleasures, peculiar to those happy days.

Both this notion, and the worship universally paid, in *Italy*, to *SATURN*, are easy to be accounted for, if we suppose, with *Sir Isaac Newton*, (*Chron.* p. 152.) that the *SATURN* of the *Latines* was the *Cretan ASTERIUS*, father of *MINOS*, the *Cretan JUPITER*; and that (in true Chronology) the *Golden Age* falls in with the reign of *ASTERIUS*; and that when he fled from his son, he retired first into *ATTICA*, and afterwards into *ITALY*, where being well received by *JANUS*, he introduced many of the arts useful to life. *Sir Isaac Newton*, after citing some passages, from various authors, in support of his opinion, goes on thus: in (*Chron.* p. 153, 154.)

“By *SATURN*’s carrying letters into *Italy*,
“and coining money, and teaching Agri-
“culture, and making Instruments, and
“building a Town, you may know, that he
“fled from *CRETE*, after letters, and the
“coining of money, and manual arts were
“brought into *EUROPE* by the *Phœnicians*;
“and from *ATTICA*, after Agriculture was
“brought into *Greece* by *CERES*; and so
“could not be older than *ASTERIUS*, and
“*EUROPA*, and her brother *CADMUS*: and
“by

this last name, it was called **ÆNOTRIA**, from **ÆNOTRUS**, **LYCAON**'s youngest son, who led thither a colony of *Arcadians*. *Dion. Hal.* thinks p. 9. that these *Arcadians* were the same with the *Aborigines*, and the first *Greeks* who came into *Italy*; and that *Italus*, a conqueror, and one of the descendants of *Ænotrus*, gave it the name which to this day it retains. P. 27, 28.

“ by *ITALY*'s being called **ÆNOTRIA**, before it was called **SATURNIA**, you may know that he came into *Italy* after **ÆNOTRUS**, and so was not older than the sons of **LYCAON**, [the son of **PELASGUS**.] **ÆNOTRUS** carried the first Colony of *Greeks* into *ITALY*, **SATURN** the second, and **EVANDER** the third; and the *Latins* know nothing older in *Italy* than **JANUS** and **SATURN**: and therefore **ÆNOTRUS** was the *JANUS* of the *Latines*. — *Macrob. (Saturnal. l. i. c. 7.)* tells us, that when **SATURN** was dead, **JANUS** erected an Altar to him, with sacred Rites, as to a God, and instituted the **SATURNALIA**, and that human Sacrifices were offered to him; till **HERCULES**, driving the cattle of *Geryon* through *Italy*, abolished that custom: By the human Sacrifice, you may know, that **JANUS** was of the race of **LYCAON**; which character agrees to **ÆNOTRUS**.”

D. Hal. (B. i. p. 30.) says, that **HERCULES**, to prevent scruples in the people, about omitting a religious Rite, received from their forefathers, persuaded them to throw, instead of men, little images of men, dressed up and adorned, into the *Tiber*, by way of sacrifice to the God; assuring them that **SATURN** would be as well pleased: And the historian adds, that even in his time the *Romans* annually, about the vernal Equinox, performed this ceremony; the High Priest, with great solemnity, throwing thirty Popets into the River.

It may be proper to observe, that according to *Sir Isaac Newton's short Chronicle*, the people of *Latium* could not have been long accustomed to human Sacrifices, if **ÆNOTRUS** introduced the practice; for between his coming into the country, and the arrival of **HERCULES**, who abolished the practice, there were but twenty years: Yet the expression of the *Greek Historian*, is *quasi patria sacra neglexissent*. (*Hudf. Transl.*)

Some Historians held the *Aborigines* to be natives of *Italy*, who had that name given them because they had been there *ab origine*

from the beginning, and did not derive their origin from any other Nation. Others pretend that the *Aborigines* were vagabonds and vagrants, who coming from different countries, met accidentally in *Italy*, and there lived by rapine; for which reason the same writers call them *Aberrigines*, that is to say, a wandering people, like those whom the ancients styled *Leleges*, by which they meant such adventurers as have been described. *D. Hal. B. i. p. 8.*

But *Dionysius*, who was persuaded that the *Aberrigines* came from *Arcadia*, says, that they were called by that name from their living upon mountains, in which the *Arcadians* much delighted; and if so, it must be derived from *ἀπ' ὀρέων γένεσθαι*, which imports as much as mountaineers, or natives of the mountains. *D. Hal. B. i. p. 11.*

That the *Aborigines* were from *Arcadia*, as *Vierro* also believed, *Sir Walt. Raleigh* seems to think probable. This name of *Aborigines*, says he, (to omit other significations that are strained) imports as much as original or native of the place which they possessed; which title the *Arcadians* are known in a vaunting manner to have always usurp'd, fetching their antiquity from beyond the moon. But he is inclined to think, with *Reyneccius*, from several passages in *D. Hal. Strabo, Justin* and *Pliny*, that *Italy* did not take that name from *Italus* the *Oenotrian*, but from *Ætolus* and a colony of *Ætolians*, which under him settled in that country. The word *Italia*, says he, differs in nothing from *Autolia*, save that the first letter is cast away, which in the *Greek* words is common, and the letter *o* is changed into *a*, which change is found in the name of *Æthalia*, an Island near *Italy* peopled by the *Ætholians*; and the like changes are very familiar in the *Æolic* dialect, which dialect, (being almost proper to the *Ætolians*) the accent and pronunciation, together with many words little altered, were retained by the *Latines*, as *Dionysius Halicarnassensis, Quintilian*, and *Priscian* the Grammarian teach. *Hist. of the World, p. 458, 459.*

From.

D. Hal. p. 7. From whatever country the *Aborigines* came, they were obliged to maintain long wars against the *Siculi*, (the first inhabitants of *Italy*) till, having received a considerable reinforcement by the arrival of a colony of *Pelasgi* from *Thessaly*, they drove out their enemies, and seized upon their towns; after which they granted a large extent of land to the *Pelasgi*, and borrowed from them many of the customs of *Greece*.

As for the *Siculi*, they being chased out of all the countries of *Italy*, took refuge in *Sicily*, which was at that time possessed by the *Sicani*, a people originally of *Spain*. And at length the *Pelasgi* themselves, not being able to bear up against divers calamities with which they were afflicted, returned most of them into *Greece*, and retained there the name of *Tyrrheni*, which they had gained by their living in the neighbourhood of that nation during their stay in *Italy*.

P. 24. About sixty years before the war of *Troy*, another colony, which came from *Peloponnesus* under the conduct of *Evander* the *Arcadian*, son of *Carmen* (or *Themis*) a prophetess, arrived in a port of *Latium*. *Faunus* then reigned over that petty Kingdom, and was a prince of humanity and prudence. He considered, that nothing was to be fear'd from a few unhappy men, who had been convey'd thither in only two vessels; and he therefore suffered *Evander* to settle on a small uncultivated hill near the *Tiber*, where the *Arcadian* built a little town and called it *Pallantium*, after the name of his native city in *Arcadia*, which a popular commotion had constrained him to leave. The hill itself was thence called the hill *Palatinus*, which in the time of *Augustus* stood in the center of *Rome*.

P. 25. *Evander* established in this new settlement the worship of the Gods of his own country. *Pan* was the tutelar Deity of the *Arcadians*. They invoc'd him to preserve their flocks from the wolves. And as the temple which had been dedicated to him in *Greece* was called ^b *Lycæum*, so that which *Evander* built, or rather cut in a rock, in *Italy*, was named ⁱ *Lupercal*: The *Arcadian* ceremonies were retain'd in his worship, and only the *Greek* name of his temple changed into a *Latin* one:

P. 26. *Evander* built altars likewise, in *Pallantium*, to ^k *Victory* and *Ceres*, and

^b The building of the temple of *Pan* under the name of *Lycæum* or *Lupercal*, answered to the idea which the *Pagans* had formed to themselves of *Pan*, whom they looked upon as the tutelar God of their flocks against the Wolves. *Dion. Hal.* Book 1. p. 25. says, that of all the Gods, the *Arcadians* worshipped *Pan* with the most devotion. Nay these people, according to *Macrobius*,^c called him τὸν τῆς ὕλης Κόσμον, i. e. the Lord of all material substances. C. & R.

ⁱ The *Lupercal* was a cavern dug in a rock in a corner of mount *Palatine*. Some authors, and amongst them *Ovid*, pretend that *Romulus* and *Remus* consecrated this cave, because it had been the retreat of the wolf that suckled them.

Illa loco nomen fecit, locus ipse Lupercal,
Fast. B. 2.

In commemoration of this, the *Romans* placed there a brazen statue, representing a wolf suckling the twins. *Fulvius Ursinus* thinks 'tis the same which may be seen at present on the *Capitol*, at the palace of the *Conversators*. C. & R.

^k The *Latines* adored *Victory* and *Ceres* before the other Gods *Jupiter*, *Juno*, &c. They represented *Victory* under the form of a young girl with wings painted white. *Ceres* was represented like the mother of a family, with a long training robe, and hold in her hand some ears of corn, or poppies. C. & R.

instituted

instituted the festival ¹ of the *Equestrian Neptune*, so called, because, according to the *Greek Fable*, NEPTUNE, with a stroke of his *Trident*, raised the first horse out of the earth; or, because, according to *Diodorus* and *Pausanias*, he was the *First* man who found out the art of *breaking* horses ^m. During

Virg. Geo.
l. 1. v. 12.
Diod. Sic.
l. 5. p. 233.
Pausan. l.
7. c. 21.

¹ This festival, says *D. Hal.* was called by the *Arcadians* HIPPOCRATIA, but by the *Romans* CONSUALIA, from *Consus*, a name afterward given to *Neptune*, in the time of *Romulus*.

Before *Romulus* the subterraneous cavern made by order of *Evander* was dedicated only to the *Equestrian Neptune*; but *Romulus*, when he designed to carry off the *Sabine* women, took occasion from this altar, which he had found under ground, to celebrate those games at which he executed his design; and as this project was the effect of a long deliberation, he therefore called the Divinity, whose worship furnished him with the opportunity, *Consus*, that is, *The God of counsel*. These games consecrated to the *Equestrian Neptune*, or otherwise to *Consus*, were celebrated ever after at *Rome*, and called, by way of eminency, the *Roman* or *great* games. They consisted chiefly in chariot and horse races; at first they held only one day, but they were afterwards prolonged to two, then to three, and at length even to nine. They were celebrated in the great *Circus*, and called also, *Ludi Circenses*, or, the games of the *Circus*. C. & R.

^m This CHEVALIER NEPTUNE, to whom *Diodorus* and *Pausanias* give the honour of being, not only the first *Riding Master*, but the first *Admiral of a Fleet*, and the inventor of ships (on which account the mariners, after his death, worshipp'd him as God of the sea) was, according to *Sir Is. Newton* (*Chron.* p. 67. & 230.) the Brother and Admiral of SESOSTRIS King of *Egypt*, son of AMMON, (deify'd after his death by the name of JUPITER AMMON.) He conjectures (upon no weak grounds) that the several names, BACCHUS, OSIRIS, SIRIS, BUSIRIS, MARS, HERCULES and SESOSTRIS, were names of one and the same man; and that this man was no other than the SESAC or SHISHAK of the Old Testament, whose sister SOLOMON married, and who pillaged *Jerusalem* in the 5th year of REHOBOAM, (the son of *Solomon*, but not by his *Egyptian* Queen.)

The following particulars are part of *Sir Isaac Newton's* history of this mighty Conqueror:

“SESOSTRIS being brought up to hard labour by his father AMMON, warred first

“under his father, being the HERO or HER-
“CULES of the *Egyptians* during his father's
“reign, and afterward their KING.

“Under his father, whilst he was very
“young, he invaded and conquered *Tro-*
“*glodytica*, and thereby secured the harbour
“of the *Red sea*, near *Coptos* in *Egypt*;

“And then he invaded *Ethiopia*, and car-
“ried on his conquest southward as far as to
“the region bearing cinnamon:

“And, his father, by the assistance of the
“*Edomites*, having built a fleet on the *Red*
“*sea*, he put to sea, and coasted *Arabia Fa-*
“*lix*, going to the *Persian Gulph* and be-
“yond, and in those countries set up co-
“lums with inscriptions denoting his con-
“quests;—

“After these things he invaded *LY-*
“*BYA*, and fought the *Africans* with *Clubs*,
“and thence is painted with a club in his
“hand:—

“And after the conquest of *LYBIA*, by
“which *Egypt* was furnished with horses [in
“greater abundance than ever before] and
“furnished SOLOMON and his friends; he
“prepared a fleet on the *Mediterranean*, and
“went on westward upon the coast of *Af-*
“*ric*, to search those countries, as far as to
“the Ocean, and island *Erythra* or *Gades* in
“*Spain*; as *Macrobius* (*Saturn.* l. 5. c. 21.)
“informs us from *Panyasis* and *Phercydes*:
“[if *Sesostris* was their *Hercules*]; and there
“he conquered *Geryon*, and at the mouth of
“the Straits set up the famous Pillars.

Venit ad occasum mundique extrema Sesostris. Lucan. l.
10.

“Then he returned through *Spain*, and
“the southern coasts of *France* and *Italy*,
“with the cattle of *Geryon*, his FLEET at-
“tending him by sea, and left in *Sicily* the
“*Sicani*, a people which he had brought
“from *Spain*.”—&c. *Chron.* p. 214.

In this Expedition his ADMIRAL was his
brother NEPTUNE, who, because the fleet,
which he commanded, consisted of *Three* *Chron.* p.
squadrons, was represented by the ancients ²¹⁶.
with a TRIDENT: And because he reigned
over *LIBYA*, the country from which HORSES ^{p. 16.}
originally came, he was called EQUESTRIAN
NEPTUNE.

D. H. p. 26. During the celebration of this Festival, a cessation from labour was granted to all horses and mules; and they were crowned with flowers.

The mixture of this new colony of *Arcadians* with the *Aborigines*, did not a little contribute to improve and civilize the latter. Some say that the art of expressing their thoughts by literal characters "was first taught them by these *Arcadians*, who had themselves but lately learnt it. *Evander* likewise habituated their ears to the sounds of those musical instruments he had brought from his own country, and changed their oaten pipes into harmonious flutes and stringed instruments."

p. 33, 34. In the mean time one of those Heroes, to whom the ancients gave

It is not possible, that *NEPTUNE*, who, whenever he lived, was doubtless a *seaman*, and probably the first who commanded a fleet of long ships with sails, might owe his *Knighthood* to his having, for the ensign of his ships, the figure of a horse? Sir *Isaac* Chron. p. 150. *Newton* observes, that the fable of *Jupiter's* assuming the shape of a Bull, had its origin from a Bull's being the ensign of the ship in which *EUROPA* was carried away from *Zidon*. Now *Pausanias* (in B. 8. c. 25.) gives us a fable of *NEPTUNE's* changing himself into a Horse, and for the sake of a woman too. It seems, that while *CERES* was rambling about in quest of her stolen daughter, *NEPTUNE* saw her and fell in love with her. She, to avoid his importunities by a disguise, transformed herself into a *Mare*: But *NEPTUNE*, having discovered the cheat, served her as good a trick, by changing himself into a *Horse*; in which shape he pursued her and compassed his ends. Perhaps the meaning of this courtship of *CERES* by *NEPTUNE*, in the shape of a *Horse*, might be no more, than that *NEPTUNE* with a fleet of ships, which had, for their ensigns, or in their heads, the figure of a horse, pursued and took some vessels loaded with *CORN*; or perhaps sailed to *SICILY*, the country of *CERES*, for *CORN*; for thither, according to *D. Hal.* the great *HERCULES* (Sir *Isaac's* *SESOSTRIS*) sailed when he left *Italy*.

D. H. p. 32. 'Tis observable that the same *Evander*, who is said to have been the first who recognised *HERCULES* for a God, and to have erected an altar to him present, is also said to have instituted the Festival of the *EQUESTRIAN NEPTUNE*; who, according to Sir *Isaac Newton*, was the Admiral of the *Egyptian HERCULES*, that is, of *SESOSTRIS*.

Chron. p. 150. Sir *Isaac Newton*, in his *short Chronicle*, places *EVANDER's* going into *Italy* above sixty years later than the arrival of this *Egyptian*

Heracles there; but he assigns no reason any where for so placing it; and he observes (Chron. p. 182.) that *Diomysius* makes them contemporary. And this would seem more probable, if Sir *Isaac* has rightly placed the arrival of *HERCULES* in *Italy*. For *Dionysius* tells us, that *EVANDER*, who taught letters to the *Aborigines*, had himself but lately learnt them: consequently we should suppose, that he flourished soon after *CADMUS* brought letters into *Greece*. And from *CADMUS's* coming into *Greece* to the coming of *HERCULES* into *Italy*, there are little more than thirty years, by Sir *Isaac's* computation; and but seven years from the time that *ASTERIUS*, the *SATURN* of the *Latines* (who was the husband of *EUROPA*, the sister of *CADMUS*), fled from *Crete* into *Italy*, and introduced letters there, to the arrival of *HERCULES*. But Sir *Isaac* says in his introduction (p. 8.) that he does not pretend to be exact to a year; there may be errors [in his calculations] of five or ten years, and sometimes twenty.

"The *Greek* characters were the first the *Latines* made use of; there were some visible proofs of this remaining in the time of *Augustus*. The treaty which *Tarquin the Proud* made with the *Gabini*, was still to be seen in the time of *Dion. Hal.* in the temple of *Jupiter Fidius*. It was written in *Greek* letters, tho' in *Latin* words, upon a wooden shield cover'd with the skin of the ox, which had been sacrificed on that occasion. *D. Hal.* B. 4. p. 257.

"The *Latines*, in consideration of the benefits they received from *Evander* and his mother *Carmentis*, (so called from the word *carmen*, she being a Prophetess who sung her oracles in verse) paid them divine honours after their deaths, and *Rome* continued to offer sacrifices to them when in her greatest splendor.

the name of **HERCULES** came from *Spain* into the country where **FAUNUS** and **EVANDER** had their settlements. The story of **HERCULES** being sent by *Euryjibeus* to the Island *Erythea* (*Gades*) to bring from thence *Geryon's* cows to *Argos*; and likewise the story of *Cacus* the cow stealer, *Dionysius* rejects as meer *Fables*. Those authors (says he) who have written *historically* of *Hercules*, seem to come nearer the truth, when they tell us, that he was the greatest captain of his time, and, at the head of a mighty army, over-ran the whole earth (*quicquid terrarum oceanus cingit*;) that he civilized the nations which he conquered, establishing among them legitimate government, and excellent laws; and using his endeavours to open a free and safe commerce, by land and sea, between all nations: so that he did not come into *Italy*, a single adventurer, driving cattle before him. For (adds the historian) it was no good road from *Spain* to *Argos*, and he would never have been so honour'd in *Italy* as he was, had he only, *passed through* the country: But he came attended by numerous forces, to conquer it, and to subject all its inhabitants to his obedience. This, to the benefit of the conquered, he effected, though not without difficulty, from the vigorous opposition of some of the nations, and especially of the *Ligurians*, in his passage over the *Alps*. *Cacus*^p, who withstood **HERCULES**, seems to have been the chief of a people in the neighbourhood of *Faunus* and *Evander*: Because, after the reduction and death of this enemy, **HERCULES** disposed of his lands, partly to the subjects of those two princes, and partly to some of his own troops, which he left behind him in *Italy*. (For it was his custom to recruit his army with the people he subdued, and, when they had served him faithfully for some time, to reward them with lands, and easy settlements, in other countries which he had conquered by their assistance.) These troops of *Hercules* made themselves at first a separate republick; but at length, by social intercourse and a mutual communication of customs and manners they grew into one body with the *Aborigines*, and the *Arcadians* of *Evander*; and all distinction ceased.

EVANDER is said by some to have recognized **HERCULES** for a God, ^{D. Hal. p} and to have been the first that did so, erecting an *Altar*^q, and sacrificing³² a bull to him, even present.

When the conqueror had settled every thing in *Italy* to his mind, ^{p. 35.}

^p One night when the troops of *Hercules* were asleep, *Cacus* came upon them by surprise and carried off their baggage and provisions; and hence the Fable of his stealing from *Hercules*, *Geryon's* cows.

^q This altar, called *Ara Maxima*, was remaining at *Rome* in the time of *Augustus*. It stood in the ox-market; but notwithstanding its fine name, it was very much neglected, and very poorly adorned. *Hercules* was invoked in all verbal bargains to be the voucher of the faith and sincerity

of the parties, by this form of an oath, *Me Dius Fidius*, which comprehended all the energy of this, *ita me Dius Fidius adiuvet*. According to several commentators, these monosyllables, *me* and *è*, had the same force amongst the *Latines* as the preposition *per*; so *me Dius Fidius*, and *per Diem Fidum*, *è Castor*, and *per Castorem*, signified the same things. This form of speech answered to these particles *μὲν*, *καὶ*, which the *Greeks* made use of before their oaths. *C. & R.*

and when his fleet was arrived from *Spain*, he embarked and passed into *Sicily*.

He had staid long enough in *Italy* to build *Herculancum*, and to have two sons, *Pallas* and *Latinus*, the first by *Lavinia* the daughter of *Evan-der*, the other by a north-country girl (*Hyperborea Puella*) whom, in his progress, he had received from her father as a hostage. 'Tis said that he had no private conversation with her till he came into *Italy*, but then took a liking to her, and she proved with child. The mother, at his departure from *Italy*, he graciously gave in marriage to *Faunus*; which occasioned an opinion, entertained by many, that *Latinus* was the son of *Faunus*, whereas in truth he was only his successor, and was the son of *Hercules*.

D. Hal. B. §. IV. IT was this *Latinus* who reign'd in *Latium*, when *Æneas* arrived there. Being then in war with his neighbours the *Rutuli*^{*}, and fortune not favouring his arms, it greatly added to his perplexity to hear that a foreign Army had made a descent upon his coasts, pillaged the maritime part of his dominions, and were fortifying themselves in a camp at a little distance from the sea. Instantly he marched with all his forces, against these strangers[†], hoping to get rid of them at once: but when, drawing near them, he perceived that they were armed after the *Greek* manner, and that keeping exactly their ranks, they stood resolutely prepar'd for a battle, he began to doubt of the success, and, instead of fighting, desired a parly. *Æneas* by the mention of *Troy*, the place of his nativity, utterly destroyed and reduced to ashes, and by the relation of his battles against the united power of *Greece*, fill'd *Latinus* at once with terror and compassion. The *Trojan* proceeded in words to this effect:

Livy, B. 1. c. 1. Dion. Hal. B. 1. p. 47. *A place of refuge and a quiet settlement are what, by the direction of the Gods, we seek in this country. We are not come upon your coasts as enemies. We have indeed taken by force wherewith to supply our pressing wants; necessity compelled us to this unbecoming violence; but we intreat you not to be offended at what is past, nor to look upon it as an act of hostility. We are ready to repair by important services, the injuries we have done you against our inclination. Our strength and our courage, which have been often tried, shall be employed to defend your lands from invasion, and to invade those of your enemies. But if, rejecting our humble supplication, you determine for a war, it will neither be the first nor the greatest that we shall have sustained.*

Latinus, struck with the magnanimity and boldness of the *Trojan* leader and his followers, and considering that these strangers might do him great service in his present wars, easily granted their request, enter'd into a league with them, and assigned them a tract of land for a settlement. They, in return, employed their arms, valour and experience in defence of *Latinus*,

^{*} The *Rutuli* inhabited the sea coast of the *Campagna di Roma*, between *Patrica* and *Nettuno*. C. & R.

[†] The *Trojans* were then but 600. Solinus, c. 8.

who came at length to have so great a confidence in the *Trojan Prince*, p. 48, 49. that he gave him *Lavinia* his daughter and only-child in marriage¹, and thereby secured to him the succession to the *Latine* throne.

Lavinia therefore could not but be dear to *Aeneas*, who in proof of it gave her name to the camp which he had pitched; and instead of *Troy* called it *Lavinium*. And as all the *Trojans* followed the example of their leader, and by marriages made alliances with *Latine* families, they and the *Latines* in a little time became one people.

§. V. THE prosperity of *Aeneas* proved the ruin of *Turnus*, a young Prince, the Queen's nephew, and educated in the palace under the eye of *Latinus*, and who had therefore entertained hopes of marrying *Lavinia*, and of succeeding to the throne. To revenge himself for this disappointment, he went over to the *Rutuli*, and soon after brought on a battle between them and the *Latines*, in which he and *Latinus* both² perished; and p. 51. thus *Aeneas* by the death of his father-in-law, and by that of a dangerous rival, came into quiet possession of the Kingdom of *Latium*, which he governed wisely, and transmitted to his posterity.

ÆNEAS reigned three years, and applied himself no less to the regulation of religion, than to the necessary measures for his defence and security. He establish'd in *Latium* the worship of the Gods of his own country. The two * *Palladiums*, which had been the protectors of *Troy* before

¹ *Aeneas*, according to *Virgil*, lost his first wife *Creüsa* in the dark, when he was making his escape from *Troy*.

² According to *Livy* B. 1. c. 2. *Turnus* survived this battle.

* These were two statues, whereof one was the original, and the other the copy: so that properly speaking, there was but one true *Palladium*.

Ovid speaks of this statue as an image of *Pallas* which fell down from Heaven upon one of the hills near *Troy*. According to *Diogenes*, it fell at *Pessinus*, a city of *Phrygia*; it was made of wood, and held a pike in its right hand, and a distaff and spindle in its left: To which he adds, that this miraculous image was put into the hands of *Dardanus*, who took all possible care to preserve the precious depositum, having been told by the Oracle of *Apollo*, that this new city of *Ilion* should subsist so long as he kept this present from Heaven in it, and no longer. And this tradition, fabulous as it is, was the foundation of that religious respect the Romans paid the *Palladium*. *D. Hal.* [B. 1. p. 54, 55, 56. and B. 2. p. 127.] frankly owns, that there were many secrets belonging to this piece of antiquity, which he was not let into; adding, that it was unlawful to discover them

to the prophane vulgar. However, when the world came to be enlighten'd by Christianity, the cheat was soon discover'd, and even the keepers of this pretended divinity, made no scruple of undeceiving the credulous people. *Arnobius* and *Clemens Alexandrinus*, agree in their account of the *Palladium*, that it was made of the bones of *Pelops*, that antient King of *Peloponnesus*, and that the Pagans themselves had betray'd this secret.

Clemens Alexandrinus goes farther, and discovers the shameful rites of that mysterious worship, which the ancient Pagans paid to this and two other statues, on which the fate of cities and nations were supposed to depend. He seems to have thought them pieces of necromancy. He tells us, that *Attenodorus* discover'd the composition of which the statue of *Serapis*, the tutelar God of the *Egyptians*, was made. And he adds these words:

Sesostriſ having subdued many nations of Greece, brought away from thence all sorts of artificers, and he ordered one *Briaxes* to make a statue of *Osiris*, one of his ancestors, which the artificer did, using all sorts of metals and precious stones in it, to render his work the more perfect; and he took particular care to put into it a perfume, with which the bodies of *Osiris* and *Apis* had been embalmed; from their two

before it was ruined, became the tutelar Deities of *Lavinium*, and in process of time, of the whole *Roman Empire*. They were shut up at *Rome* in the temple of *Vesta*, and to the *Vestals* only was permitted the sight of them.

D. Hal. B. 1. p. 56. *Dionysius*, is of opinion, that *Aeneas* brought into *Italy*, together with the *Palladiums*, the statues of the Great Gods, honoured by the *Greeks*, and more especially by those of *Samothrace*: And he tells us, he is supported in this opinion by the authority of *Calkistrates*, who wrote a history of *Samothrace*; *Satyrus*, who made a collection of ancient fables; and *Aratinus* the most ancient poet known.

p. 52. §. VI. BUT while *Aeneas* was thus employ'd, the *Rutuli* enter'd into a league with the *Hebrurians*¹, against a stranger, whose good fortune they envied. Especially *Mezentius*, King of the *Tyrrhenians*², was alarm'd at the too frequent arrival in *Italy* of colonies from the eastern nations, their numerous settlements, and the encroachments they made upon the lands of the first inhabitants. Fear and jealousy therefore made him take the field.

While the confederate armies were advancing towards *Lavinium*, either to besiege it, or to draw the *Trojan* to an engagement, *Aeneas* marched out, and gave them battle. The action lasted till night, and equal bravery was shewn on both sides: But *Aeneas*, being pushed to the banks of the *Numicus*³, and forced into that river, was there drown'd. The *Trojans* conceal'd his body, and to make him pass for a Deity in the minds of his credulous subjects, pretended that he had vanished away on a sudden; accordingly a temple was erected to him, with an inscription^b upon it, which declared him at least a demi-god. Such was the end of

names, therefore, the statue was called *Osirapis*, and afterward, by corruption, *Serapis*.

The same *Clemens Alexandrinus* informs us, that the statue of *Jupiter Olympius*, the tutelar God of *Greece*, was made of the bones of an elephant. From all which we may conjecture, that the tutelar Gods of the several countries of the *Pagan* world were so many Talismans, made according to the rules of magick.

But to return to the *Palladium*, it may be asked whence it got that name? The common answer is, that it represented the Goddess *Pallas*, but there is some foundation to believe, that the Goddess owed both her name and origin to the statue. *Dion. Hal.* [B. 1. p. 55.] gives us the following story of the *Palladium*, upon the testimony of *Callistatus*. *Pallas*, says he, was a King of *Arcadia*, and the father of *Chryse*, she was married to *Dardanus*, and had this statue for her portion, and called it *Pallas's present*, who in all probability made this Talisman. In after times, to gain it veneration, fable made it the statue of a Goddess, who bore the name of *Arcadian Pallas*. And what strengthens this conjecture

is, that the *Palladium* represented a young man armed from head to foot. As it was easy to mistake the sex, the vulgar made it a warlike Goddess. C. & R.

¹ We are to understand here the people of that part of ancient *Hebruria*, which comprehended what is now called *St. Peter's Patrimony*, the dutchy of *Castro*, and the territories of *Orvieto* and *Perugia*. C. & R.

² *Mezentius* had under his dominion that territory which depended on the ancient city *Agyllus*, now *Cerveteri*, in the Ecclesiastical State. C. & R.

³ The *Numicus*, now *Rio de Nimi*, according to geographers, was formerly a river. It is now scarce more than a rivulet, it ran close by *Lavinium*. C. & R.

^b This inscription, according to *Aurelius Victor*, was in these words: *Patri Deo Indigenti*. The word *Indiges*, with the *Latines*, signified one of those Gods who had been of the race of men, and at length were deify'd. The same *Aeneas*, according to *Livy*, B. 1. c. 2. had divine honours paid him, under the name of *Jupiter Indiges*. C. & R.

Aeneas,

Aneas, the Trojan Prince so much celebrated by the Greek and Latine poets, and who, because he was illegitimate, and born of a mother remarkable for her beauty, was, agreeable to the manner of speaking in those times, called the son of *Venus*.

The death of *Aneas* caused no disorder in the affairs of the *Latines*. His colony and kingdom subsisted under the administration of his son *Eurileon*, who succeeded him. This Prince was born at *Troy* of *Creüsa*, the daughter of *Priam*, and had come with his father into *Italy*. He had changed his name, and at this time bore that of *Ascanius*, the name of his elder brother, who had been left in *Bitbunia*. The young King did not think it adviseable to engage immediately in a pitch'd battle with a formidable enemy, whose pride was elevated by the death of *Aneas*: He had the prudence to confine himself within the walls of *Lavinium*, and to try what could be done by negotiation, before he had recourse to arms. The haughty *Mezentius* demanded of the *Latines*, as one of the conditions of a peace, that they should pay him yearly, by way of tribute, all the wine produced in the territory of *Latium*. *Ascanius* preferred an honourable war to a shameful dependence. To break off a treaty so injurious to his people, he caused all the vines throughout his dominions to be consecrated to *Jupiter*; and by thus transferring the demesne to the God, he made the estate unalienable.

The enemy had pitch'd their camp in the neighbourhood of *Lavinium*; and the flower of their youth, under the command of *Lausus*, the son of *Mezentius*, lay intrench'd almost at the gates of the city. The *Trojans*, who had been accusom'd, during a ten years siege, to make brisk sallies upon the besiegers, marched out in the night, and vigorously attack'd the post where *Lausus* commanded. His entrenchments were forced; and then the army in the plain, intimidated by the defeat of their advance-guard, immediately fled. The *Latines* pursued them, and in the pursuit *Lausus* was slain; which, with the check his troops had receiv'd, so discourag'd *Mezentius*, that he immediately sued for peace. It was agreed, that for the future, the *Tiber* should be the boundary both to the *Latines* and *Hetrurians*.

§. VII. BUT now *Lavinia*, whom *Aneas* at his death had left with child, entertain'd a strong jealousy of the ambition of her step-son, whom victory made absolute in his new dominions; and she feared to expose the infant, she was going to be delivered of, to the danger of his politicks. She fled therefore into the woods, trusting herself to the care of one *Tyrrhenus*, chief of her father *Latinus*'s shepherds, and was there delivered of a son, who from the place of his birth took the surname of *Sylvius*. But the Queen's flight, who had disappear'd on a sudden, occasioning suspicions at *Lavinium* prejudicial to the reputation of *Ascanius*, he caused diligent search to be made after her, calm'd her fears, and engaged her to return to the town with her son, whom he ever after treated as a brother. And as *Lavinium* was in reality the patrimony of *Lavinia*,

He had three names, *Eurileon*, *Iulus*, and *Ascanius*.

and

and a demefn which ought therefore to defcend to *Sylvius*, it was, perhaps, for this reafon, that *Ascanius* determined to yield it to them, and to build another city where to fix his refidence. This new city he called

D. Hal. B. *Alba Longa*^b; *Alba*, as the hiftorians tell us, from a white fow which
 2. p. 53. *Æneas* found in the place where it was built; and *Longa*, both to distin-
 and Livy, guish it from another town named *Alba*, and becaufe without having
 B. 1. c. 3. much breadth, it extended itfelf the whole length of a lake near which it
 D. Hal. p. 63. was founded.

p. 56. It was thirty years after the building of *Lavinium*, that *Ascanius* removed to *Alba*; and there he died, after a reign of about thirty-eight years, twelve of which he had refided at his new fettlement. He left by a wife, whose name hiftory has not tranfmitted to us, at leaft one fon, who was born in *Alba*, and called *Iulus*; fo that there remained of the pofterity of *Æneas* a fon and a grandfon, the one *Æneas Sylvius*, the other this *Iulus*: and between them lay the right of fucceffion to the *Latine* throne.

Ibid. §. VIII. THE *Latines* not thinking it for their intereft to continue divided under two governments, refolved to unite *Alba* and *Lavinium* into one dominion: and as *Sylvius*, being the grandfon of *Latinus*, feem'd to have the beft title to the whole, the people who were the judges decreed it to him. However, to prevent divifions, and to make *Iulus* fome amends, they conferr'd on him the fovereign power in affairs of religion. It was, perhaps, from hence that the *Julii* constantly preferved the prieft-hood in their family, and that the *Cæfars* always affumed the quality of high-priefts.

p. 57. §. IX. THE kingdom of *Alba* continued for near 400 years in an almoft uninterrupted tranquillity under *Æneas Sylvius* and his fucceffors, without being either confiderably diminifhed or increafed. But as a ftate^d which remained fo long in peace afforded little matter for hiftory, we have fcarce any thing left us, befides the names of its Kings, and the number of years which each of them reigned.

Æneas Sylvius Pofthumus, died after a reign of 29 years, and was fucceeded by his fon.

Æneas Sylvius, who governed *Latium* 31 years.

Latinus Sylvius, who fucceeded him, held the fceptre for the fpace of 51 years.

Alba reign'd 39.

Capetus (or according to *Livy*, *Atys*) 26.

Capis 28. And

Calpetus 13.

^b *Alba* was probably fituated between *Monte Cavo* and the lake of *Castello Gandolpho*. C. & R.

^c The *Latine* ftate feems to have had no greater extent, than from *Alba* to the mouth of the *Tiber*, nor any other towns than *Lavinium*, *Alba Longa* and perhaps *Laurentum*,

where *Latinus* kept his court at the time of *Æneas's* arrival; if, after all, *Lavinium* and *Laurentum* were not the fame town. C. & R.

^d This ftate fubfifted, according to *D. Hal.* about 430 years, reckoning from *Æneas's* arrival in *Italy* to the building of *Rome*.

Tiberinus, who succeeded him, being less peaceably inclined than his Predecessors, undertook a war which proved fatal to him. In an engagement upon the banks of the *Tiber*, which till then was called *Albula*, he was forced into the river, and being carried away by the current, was drown'd. This accident of *Tiberinus*, who reigned but eight years, caused the river's name to be changed, and ever since it has borne no other but that of *Tiber*.

Agrippa, successor to *Tiberinus*, after a reign of 41 years, left the throne to

Alladius, who reign'd 19 years, and was succeeded by

• *Aventinus*, who reign'd 37 years, and left his name to the hill *Aventinus*, where he was interred.

Procas, who succeeded him, held the sceptre 23 years. He was the father of *Numitor* and *Amulius*, and at his death bequeathed the throne to his elder son *Numitor*.

• *Amulius*, who doubtless surpass'd his brother in understanding and courage, had no respect either to priority of birth, or to the last appointment of his father. He not only snatched the sceptre from *Numitor*, and made him pass his days in retirement; but used all the cruel precautions of a tyrant to secure the throne to himself, by extinguishing his brother's posterity. *Numitor* had an only son named *Ægeſtus*, and a daughter call'd *Rhea Sylvia*. The tyrant caused the first to be slain at a hunting, and, to prevent the other from having children, consecrated her to the worship of *Vesta*, by which she was obliged to perpetual virginity. But this precaution proved ineffectual; for the vestal, either by her own fault, or by violence done to her, became the mother of twins. The story is related after the following manner.

§. X. *RHEA SYLVIA* was called to the performance of some religious service in the temple of *Mars* near the town. A spring of water glided thro' the sacred wood, with which the temple was inclosed; and the priestess, in order to discharge one of her sacerdotal functions, went thither to take the necessary water for the sacrifice. Then and there a man disguised in a military habit, like that in which *Mars* was commonly represented, surprized and forced the *Vestal*. *Amulius*'s ill reputation has made him suspected by some of doing this violence to his niece himself; not so much to gratify a brutal passion, as to have a pretence for condemning her to that punishment which the law had assign'd for *Vestals* who proved unchaste. Others are of opinion, that she met a young lover there by appointment. Be that as it will, *Rhea Sylvia* thence forward abstain'd from her functions, and from entering the temple, under a pretence of an indisposition. Usurpers are ever suspicious. *Amulius* soon conjectured what kind of disorder it was that afflicted his niece, and therefore caused her to be watched. Nay he scrupled not to tax the father and mo-

* *Amulius* being the younger brother, says *Plutarch*, had the gold and silver for his portion, and *Numitor* his father's crown. *Amulius* made use of his riches to dethrone his brother, in *Rom.* p. 19.

† Sometimes *Ilia*.

ther of the *Vestal* as the contrivers of an intrigue, which might procure them grand-children. When *Rhea* could no longer conceal her shame, she charged the God *Mars* with being the cause of it. The circumstances of the temple, the sacred wood, and the pretended presence of that God, who was believed to make his residence in a sanctuary consecrated to him, gave a less odious colour to the matter, whether her crime, or her misfortune. But these things made no impression on the mind of *Amulius*. He not only placed some trusty women about her, but appointed a guard of armed men to watch her, which they did till she was delivered of two sons. The tyrant took all advantages of this accident, he laid open the *Vestal*'s shame in an assembly of the people, exaggerated her fault, and urged both religion and the laws against her. *Rhea* was condemned to be first whipp'd, and then put to death; and the fruits of her criminal amour to be thrown into the *Tiber*. But most of the historians say, that *Amulius*, at the intercession of his daughter *Antio*, changed the sentence against *Rhea* into perpetual imprisonment, and that she was not releas'd from her confinement till the tyrant was dethroned. As to the twins the sentence against them was executed in this manner:

A little wooden trough being prepared, and the two infants laid in it, they were carried to the bottom of Mount *Palatine*, and there turn'd a-drift upon the *Tiber*, which at that time overflow'd its banks and wash'd the foot of the mountain. The place where they were exposed was about 120 furlongs from *Alba*. The little skiff floated a while without any accident, but at length being carried against a stone by the ebbing of the flood, it was over-set, and the two brothers turned out upon the strand. It has been the general tradition, that a she wolf hearing their cries came and suckled them; but is it more probable that *Acca Laurentia*, whose husband, *Faustulus*, found the two children, and who nursed them, was called by the nick name of *Lupa*, or wolf, for her disorderly life, and that this gave rise to the fabulous miracle.

Faustulus was the chief of the King's shepherds, and being probably well acquainted with the birth of the twins, was suitably careful of their education: he sent them to *Gabii*, a city of *Latium*, to learn the Greek literature. As they grew up, they appeared to have something great in their mein and air, which commanded respect, and they assumed a superiority over the other shepherds, and the country people. A quarrel happening between the herdsmen of *Amulius* and those of *Numitor*, the two brothers took the part of the former against the latter, of whom in the fray they slew some, wounded others, and put the rest to flight. The worsted party resolv'd to be reveng'd on *Romulus* and *Remus* (for so the twins were called) and the festival of the *Lupercalia* yielded a favourable opportunity

§ *Valerius Maximus*, B. 2. c. 2. §. 9. pretends, that the festival of the *Lupercalia* was not older than the foundation of *Rome*. *Livy*, L. 1. c. 5. *Dion. Hal. B.* 1. p. 25, 67. and *Plutarch*, (*Rom.* p. 31.) are of opinion that this festival was brought by *Evander* out of

Greece. The ceremonies observed in it were these. First, two goats and a dog were killed; then the foreheads of two young men of distinction were touch'd with the bloody knife, and they were to laugh when they were

D. Hal. p.
64.

Plut. in
Rom. p.
29.

Fabius
Pictor,
Portius
Cato, *Cal-*
purnius
Pilo, *apud*
D. Hal. B.
1. p. 64,
&c.

p. 71.

Plut. in
Rom. p.
20.
D. Hal. B.
1. p. 66.

Ælius
Tubero,
apud
D. Hal. B.
1. p. 67.

nity to put their design in execution. While the two brothers were scouring the plain with their whips in their hands, according to the ceremonies used in this festival, *Remus* was on a sudden surrounded, taken prisoner, and led away to *Numitor*, before whom he was accused of exercising a kind of tyranny in the forests. The deposed King for the most part led a private life in the country, in the utmost subjection to the Usurper's will. He durst not proceed against the person accused, without the consent of *Amulius*; Plut. Rom. p. 21. but he had no sooner obtained it than he condemned the prisoner to death. The sentence was just going to be executed, when either out of instinct, compassion, or esteem for a young shepherd, whose person and courage spoke something superior to his condition, he found himself strongly inclined to save him. He therefore deferred the execution, and resolv'd to have a moment's conference with the criminal. He asked him in what part of *Latium* he was born, and who were his parents. *Remus* replied, that his family and the place of his nativity were equally unknown to him. All I could learn, said he, from the shepherd who brought up my brother *Romulus* and me, is, that we are twins, and that we were found exposed upon the bank of the river; an answer which immediately struck *Numitor* with a lively remembrance of his two grandsons: Their age, which was about eighteen years, agreed with the time when the two Princes were exposed upon the *Tiber*, and there needed no more to change his anger and threatenings into tenderness.

In the mean time *Romulus*, impatient of the detaining his brother, was eager to pursue and attack those who had carried him off; but *Fausulus* dissuaded him from it, and on this occasion disclosed to him his birth; a discovery which awakened in his breast sentiments worthy of his high extraction. p. 67, 68. He resolv'd at all hazards to attempt the delivering his grandfather and mother from the oppression they were under. And while he was assembling the country people, and disposing every thing for the execution of his design, *Numitor* made the same discovery to *Remus*, concerning his parents, and the injustice they suffered, pressed him to revenge it, and then bid him go and send *Romulus* to his house. *Romulus* came, and the shepherd *Fausulus* made haste to follow, taking with him the trough, or skiff, in which the twins had been exposed on the river, in order to shew it to *Numitor*. Plut. in Rom. p. 21. But as he entered the gate of the city, he was stopped by the guards, who perceiving an air of haste and confusion in his looks, imagined he was loaded with something of consequence. By chance there was one among them who had been at the exposing of the children, and employed in the office; he seeing the

were thus touched. When this was done, the skins of the victims were cut into thongs and whips for the young men; who, armed in this manner, and covered only with a pair of drawers, ran about the city and the fields, striking all they met. The young married women suffered themselves to be struck by them, and believed those strokes were a help

to fruitfulness. This festival was celebrated the 15th of February. The priests who presided at these sacrifices, were at first divided into two colleges, one whereof was for *Remus*, the other for *Romulus*; but afterwards there was a third added in honour of *Julius Caesar*. This festival was chiefly celebrated in the villages. C. & R.

Plut. in
Rom. p.
22.

trough which *Fausulus* could not conceal, and knowing it by its make and inscription, guess'd at the business, and without farther delay, telling the King of it, brought in the man to be examined. The shepherd, without losing his presence of mind, confess'd what his burthen was, and own'd that the twins were living, but pretended that they were feeding flocks in a remote desert. This was gaining time, and the brothers made the best use of it. *Remus* undertook to raise the city, and *Romulus* to invest the King's palace. The country people came at the time appointed, and form'd themselves into companies of an hundred each. Their ensigns were bundles of hay, hanging upon poles, which the *Latines* at that time called *Manipuli* ^a, and from thence came the name of *Manipulares*, which was originally given to troops raised in the country.

With this tumultuous army *Romulus* beset the avenues of the palace, forced the guard, slew the tyrant (who had reigned 42 years) and restored his grandfather to the throne.

Such was the adventure, according to the common tradition, by which the birth of *Romulus* and *Remus* came to be discover'd. *Plutarch* concludes his account of it with these words: "These are for the most part the relations of *Fabius* and *Diocles Peparethius* (who, I think, is the first that writes of the building of *Rome*) which some suspect to be only fabulous, and invented stories; but they are not wholly to be rejected, if we consider, what strange things Fortune sometimes brings about, and also how improbable it is, that the *Roman* Empire could ever have arrived at such a pitch of greatness and power, if the Gods had not laid the foundation of it, and given it a miraculous beginning."

D. Hal. B.
1. p. 72.

§. XI. *NUMITOR*, not long after his re-establishment on the throne, finding that *Alba* was overstock'd with inhabitants by the inundation of those rustick troops which *Romulus* had brought thither, propos'd to his grandsons, that they should make a settlement elsewhere. To this ^b *Remus* and *Romulus* very willingly consented, and the King gave them for their new settlement those lands near the *Tiber*, upon which they had been cast by the waves, and where they had been brought up. *Numitor* also supply'd them with all manner of instruments for breaking up ground, and with slaves, and beasts of burden, and granted to his subjects full liberty to join the two brothers. Upon which, some of the best families, and among the rest, several who were descended from the *Trojans*, chose to follow the fortune of *Remus* and *Romulus*; so that even in *Augustus's* time there were in *Rome* fifty great families sprung from *Trojan* ancestors, and which had subsisted there ever since its foundation.

Ibid.

^a Hence came the word *Manipulus*, for a battalion, which at first consisted of 100, afterwards 200, and in the decline of the empire of less than 100.

^b *Plutarch* (in *Rom.* p. 22.) thinks it very possible that *Remus* and *Romulus* resolv'd to

seek another habitation, rather through necessity than choice, being probably discountenanced by the people of *Alba*, who had reason to fear every thing from such a troop of fugitive slaves and out-laws as attended the two brothers.

As that handful of people, who came from *Alba*, were of themselves in no condition to found a colony any thing considerable, the two brothers got together all the inhabitants of *Pallantium* and *Saturnia*, two small towns, and it was thought proper to divide those who were to be employ'd in building the new city into two companies, one under the command of *Romulus*, the other of *Remus*. But this division, which was made purely with a view to the publick welfare, and for the better carrying on the work, instead of answering the end proposed, gave birth to two rival factions, and produced a jealousy between the brothers, which broke out when they came to fix upon a place where to plant their colony. *Romulus* declared for mount *Palatine*, and *Remus* for mount *Aventine*. There was no law whereby they could decide their difference: nor could either of them pretend a superiority by years or merit. The matter was therefore referred to their grandfather. *Numitor* being very much prepossessed p. 73. in favour of *Augury*, with which the *Hetrurians* had infected *Italy*, declared, it his opinion, that the contending parties ought to have recourse to the Gods, in order to put an end to a dispute which no man had a right authoritatively to decide; and accordingly they agreed, that it should be determined by the flights of birds. When the day appointed for the ceremony came, some persons were deputed from both sides to be witnesses of the truth of the auguries, and the two brothers posted themselves each upon his mountain, *Remus* upon mount *Aventine*, and *Romulus* upon mount *Palatine*. Vulturs were to decide the affair; whoever should Plut. in Rom. p. 22, 23. first see any of these birds, or see the greater number of them, was to gain his cause; for, said they, these birds are very scarce, and sent by the Gods from foreign countries to foretel extraordinary events. Besides, they remembred that *Hercules* used to judge of the success of his undertakings from the flights of vulturs. When the two rivals had a while gazed round the horizon, watching the appearance of a favourable augury, we are told, that *Romulus*, either to divert his brother's attention, or to secure to himself the publick voice by a fraud, sent to tell him that he had seen some vulturs. Whilst the messengers were yet on their way, *Remus* actually perceived six. He ran therefore to mount *Palatine* to examine the truth of his brother's augury; and he had no sooner got thither, than by an unexpected good fortune, twelve vulturs appeared to *Romulus*, who instantly cried out in a transport of joy, and pointing to them with his hand, be judge, be judge yourself, brother, of the truth of what my messengers have told you. *Remus* nevertheless discovered the cheat; he was informed that *Romulus* did not see the twelve vulturs, till after he himself had seen six: and then one insisted on the number of birds, the other on the time of seeing them. The people were divided, each man D. Hal. B. 1. p. 74.

^c *Augury*, or the art of divination, and transmitted to the *Hetrurians*, and from foretelling future events by the flight, cries, them to the *Latines* and the *Romans*. *Vid. Ciceron. de divin. and Orig. l. 4. contra Cels. & R.* or motions of birds, came from the *Chaldeans* to the *Greeks*, from thence it was

taking the part of his leader; and the dispute growing warm, from words they came at length to blows.

The shepherd *Faustulus* throwing himself unarmed into the crowd to part the combatants, an unlucky blow laid him dead upon the ground; and some historians are of opinion, that *Remus* lost his life in the same skirmish; but the greater number place his death later, and say that he was slain by one *Fabius*, who in a passion struck him on the head with a mattock, for having, in derision, leap'd over the wall of the new city: and they add, that the murderer was, from this action, afterwards called *Celer*, i. e. hasty or passionate; but *Livy* says, the more common report was, that *Remus* died by his brother's own hand.

Livy, B. 1. c. 6.

Plut. in Rom. p. 23.

§. XII. *ROMULUS* being now head of the colony, by the advantage of more favourable auguries than those of his brother, or rather by having got the better in the late engagement, apply'd his thoughts wholly to build the city, which was to be call'd *Roma*^d, in allusion to his name. Mount *Palatine* was the place chosen for its situation: and the founder on this occasion perform'd all those ceremonies which the superstition of the *Hebrurians* had introduc'd, and made customary at the building of towns. He offer'd sacrifices to the Gods, and order'd all the people to do the same, every man according to his abilities: and from that time decreed that eagles should be the auspices of his new colony. After this, great fires were kindled before their tents, and all the people leap'd through the flames to purify themselves. This ceremony over, they dug a trench round that spot where the *Comitia* or assemblies of the people were afterwards held, and into this trench they threw the first fruits of whatever they were allowed to make use of for food; besides which, every man of the colony cast in a handful of earth, brought either from his own, or some neighbouring country. This trench they called *Mundus* (the world) and made it the center round which the city was to be built. Then *Romulus* yoking a cow and a bull to a plough, the coulter whereof was brass,

D. H. 1. B. 1. p. 75.

Plut. Ibid.

^d *Plutarch* in his life of *Remulus*, (p. 17, 18.) says, that authors are not agreed by whom and for what reason the city of *Rome* was so called; that some are of opinion, the *Pelasgians*, who had over-run the greater part of the habitable world, fixed themselves there; and from their own military strength (in *Greek* *Ρωμα*, *Roma*) called the city by that name: that others say the city was built by some *Trojans*, who escaping from *Troy*, were driven upon the coasts of *Tuscany*, among whom was a woman of distinction named *Roma*, who engaged the *Trojan* women to burn the ships they came in, and that the city was called so from her: but that others say the *Roma* from whom the city had its name, was daughter of *Italus* and *Lucaria*, others of *Telephus*, *Hercules's* son, and that she was married to *Aeneas*. Others make her the daughter of *Ascanius Aeneas's* son. The same author speaks of *Romanus* the son of

Ulysses and *Circe*, *Remus* the son of *Erumbion*, whom *Diomed* sent from *Troy*, and of one *Romus* a King of the *Latines*, who drove out the *Tuscians*; to each of these the building of *Rome* has been ascribed. *Solinus* bestows the honour of it upon *Evander*, and says, that it was in old times called *Valentia*. Others say, that it was anciently called *Febris*, after the name of *Februa*, the mother of *Mars*, witness *St. Aug. de Civ. 1. Di Lib. 3.* But *Livy* and others will have the building of the city to be the work of *Romulus*, even from the foundation. *C. & R.*

The design of this ceremony, was to admonish the heads of the colony, that it ought to be their principal study to procure for their fellow citizens all the conveniencies of life, to maintain peace and union amongst a people come together from different parts of the world, and by this means to form themselves into one body, never to be dissolved. *C. & R.*

mark'd

mark'd out, by a deep furrow^f, the whole compass of the city; and those two animals (the symbols of marriage by which towns are peopled) were afterwards slain upon the altars. All the people follow'd the plough, throwing inwards the clods of earth which the plough-share sometimes turned outwards: and when they came to those places where they intended to make the gates, they took up the plough and carried it. Hence the Latin word, *Porta* a gate, à *portando aratrum*. Plut. in Rom. Ibid.

The people's throwing inwards the clods of earth, was a significant ceremony, importing, that plenty in cities is owing to the fruitful lands about them; and withal, how careful the inhabitants ought to be to bring every thing from abroad, which may contribute to the publick welfare. The whole length of ground where the plough had pass'd, was by the ancients looked upon as sacred and inviolable. For this reason it was, that they thought themselves obliged to spend the last drop of their blood in defending their walls; and to break through them was a crime of the highest nature. But the gates were not sacred; otherwise, as *Plutarch* observes, the city could not have been supplied with the necessaries of life, without a breach of the law, nor could the filth, dead bodies, and other things which they reckoned unclean, have been carried away.

As mount *Palatine* stood by itself, and was not joined to any other hill, the whole was inclosed within the line made by the plough, which form'd almost the figure of a square, for which reason *D. Hal.* calls it *Roma* B. 2. p. 125. & Plut. p. 22. *Quadrata*. The walls were built upon this Line, which was therefore called *Pomerium*, according to *Plutarch*, from *Pone mœnia*: But *Livy* defines the *Pomerium* to be that space of ground both within and without the walls, Livy, B. 1. c. 44. which the Augurs at the first building of cities solemnly consecrated, and on which no edifices were suffered to be raised.

* As to the exact year of the foundation of *Rome*, the historians differ about it. *Varro* places it in the third year^h of the sixth olympiad, that

^f The ancients oftentimes described the compass of their cities by a train of white earth. We read in *Strabo*, B. 17. p. 1142. that for want of this earth, *Alexander* mark'd out *Alexandria* with meal. C. & R.

^g Chronologists are not agreed about the exact year of the foundation of *Rome*. *L. Cincius* fixes it in the fourth year of the twelfth olympiad; *Fabius Pictor*, in the first year of the eighth. *Polybius* and *Diodorus Siculus*, in the second year of the seventh olympiad; *Portius Cato* and others, in the first year of the same olympiad; *Marcus Verrius Flaccus*, (the supposed author of the *Capitoline tables*;) and *Livy*, in the fourth year of the sixth olympiad. But the majority of the best Roman writers follow *Varro's* calculation, according to which the foundation of *Rome* is placed near the end of the

third year of the sixth olympiad. *Petavius* contends, that *Varro's* opinion is the most agreeable to the rules of chronology, *Lib. 1. de doct. temp.* C. & R.

^h If *Rome* was built, as *Varro* believed, in the 3d year of the 6th olympiad, it must, as *Petavius* observes, have been in 3960 or 3961 of the Julian period. For the first olympiad beginning at the summer solstice in 3938, the third year of the 6th olympiad will begin in the summer of 3960, and end in the summer of 3961. And if, as *Petavius* thinks, *Rome* was founded in the end of the 3d year of the 6th olympiad, that will fall in 3961. *Father Cailrou*, in his *Rom. Hist.* p. 59. says it is incontestable, that *Rome* was founded 21 April, and yet, that it appears to have been founded in autumn, and that April was then a month in autumn, and was afterwards

that is, 431 years after the destruction of *Troy*, and 753 before the beginning of the Christian *Æra*. The *Romans*, (according to *Plutarch*, and others) began to build on the twenty-first of *April*. This day was then consecrated to *Pales*, Goddess of shepherds, so that the festival of *Pales*, and that of the foundation of the city, were afterwards jointly celebrated at *Rome* on the same day.

Year of
R O M E
I.

Val. Max.
B. 4.

When *Rome* had received near the utmost perfection, which men rude and indigent were able to give it, it consisted only of about 1000 poor huts, which had no upper stories, nor any kind of ornament. The walls even of *Romulus's* palace were made of rushes, and it was covered with thatch. Every man having chosen his ground to build upon according to his fancy, without any regard to the regularity or beauty of the whole, the streets (if they might be called streets) were both crooked and narrow. *Rome*, properly speaking, was at first but a sorry village, whereof even the principal inhabitants followed their own ploughs: and until it was rebuilt after the burning of it by the *Gauls*, did not deserve the name of a city. Such were the beginnings of the capital of the world.

afterwards set back in the calendar. Upon this supposition, the date of the foundation of *Rome*, according to the *Julian* period, will be 3960. Yet father *Rouille*, as we see in the preceding note, which is taken from him, tells us, that the majority of the best *Roman* writers following *Varro's* calculation, place the foundation of *Rome* in the end of the 3d year of the 6th olympiad, consequently, if it was in *April*, this must have been a month in the spring as it is now, and the year of the foundation of *Rome* will be 3961 of the *Julian* period. All the discussions of former writers to fix the exact year of the foundation of *Rome* seem very idle performances, since the publication of Sir *Izaak Newton's* book of Chronology.

C H A P. II.

R O M U L U S.

Sect. I. *Romulus* is chosen King of *Rome*. §. II. He puts on a robe of distinction, and appoints 12 *LICTORS* to attend him. §. III. He divides his colony into 3 *TRIBES*, and these into 30 *Curia*. §. IV. He distinguishes the people into *PATRICIANS* and *PLEBEIANS*, *PATRONS* and *CLIENTS*. §. V. He constitutes a *SENATE*. §. VI. He appoints himself a guard of 300 horsemen called *Celeres*. §. VII. He settles the respective prerogatives of the King, Senate, and People. §. VIII. The religious laws of *Romulus*. §. IX. His civil laws. §. X. To augment his colony, he opens an asylum for fugitives, slaves, and outlaws. §. XI. The rape of the *Sabine* women. §. XII. The *Sabines* endeavour to recover their women by a treaty. In the mean time *Romulus* defeats the *Cœninenfes*, slays *Acron* their King in single combat, and decrees himself a *TRIUMPH* for his victory. He reduces *Crustumium* and *Anemnæ*, and gains other advantages. §. XIII. *Romulus's* war with the *Sabines*. §. XIV. He concludes a peace with them, and admits *Titus Tatius*, their King, to be his partner on the throne. The followers of *Tatius* are transplanted to *Rome*, and become one people with the *Romans*. §. XV. *Tatius*

Tatius creates 100 new senators chosen out of the Sabines. The creation of the first ROMAN KNIGHTS. The festival of the MATRONALIA instituted. §. XVI. The death of Tatius. §. XVII. Romulus defeats the Camerini, Fidenates, and Veientes. He renounces the Kingdom of Alba upon the death of Numitor. §. XVIII. The murder of Romulus by the Senate, and the artifice of Julius Proculus to appease the people.

§. I. **A**S Romulus had not taken upon him the chief command of the colony for any longer time than while the city was building, he, as soon as the work was finished, submitted the form of its future government to the choice of the people. He called the citizens together, and harangu'd them in words to this effect: *If all the strength of cities lay in the height of their ramparts, or depth of their ditches, we should have great reason to be in fear for that which we have built. Are there in reality any walls too high to be scaled by a valiant enemy? And of what use are ramparts in intestine divisions? They may serve for a defence against sudden incursions from abroad; but it is by courage and prudence chiefly, that the invasions of foreign enemies are repell'd, and by unanimity, sobriety and justice, that domestic seditions are prevented. Cities fortified by the strongest bulwarks, have been often seen to yield to force from without, or to tumults from within. An exact military discipline, and a steady observance of civil policy, are the surest barriers against these evils. But there is still another point of great importance to be considered. The prosperity of some rising colonies, and the speedy ruin of others, have in a great measure been owing to their form of government. Were there but one manner of ruling states and cities that could make them happy, there would be no room for choice. But I have learnt that of the various forms of government among the Greeks and Barbarians, there are three which are highly extoll'd by those who have experienced them (Government by one, by a few, by the many;) and yet, that no one of these is in all respects perfect, but each of them has some innate and incurable defect. Chuse you then in what manner this city shall be governed; Shall it be by one man? Shall it be by a select number of the wisest among us? Or shall the legislative power be in the people? As for me, I shall submit to whatever form of administration you shall please to establish. As I think myself not unworthy to command, so neither am I unwilling to obey. Your having chosen me to be the leader of this colony, and your calling the city after my name, are honours sufficient to content me; honours of which living or dead I can never be deprived.*

Year of
R O M E
I.

R O M U -
L U S First
King.
D. Hal. B.
2. p. 78,
79.

Thus spake the founder of Rome, by the advice of his grandfather Numitor; and the people, who had been accustomed to Kings, having lived easy under them, and having likewise experienced the courage and capacity of Romulus, unanimously chose him to be their King.

As the chief religion of those times lay in the regard paid to the prognosticks, which the ¹Augurs and Haruspices drew from thunder, lightning,

¹ It may not be improper to say something here of the different offices of the Haruspices.

Year of
R O M E
I.

R O M U -
L U S First
King.

ning, the wind, the flight of birds, or the entrails of beasts, the Prince elect, before he ascended the throne, would needs consult the will of the Gods

ces and *Augurs*, of whom frequent mention will be made in the course of this history. The *Roman Haruspices* were all taken at first from *Hetruria*, where their art had most credit. Afterwards young *Romans* were sent into *Hetruria*, to be there brought up in the science. It consisted in foretelling future events, by attending to various circumstances of the victims. First, it was an ill omen, when the victim would not come to the altar without dragging, when it broke its rope, fled away, avoided the stroke, struggled much after it, made a great bellowing, was long a dying, or bled but little. Secondly, presages were drawn from inspecting the noble parts of the victim when opened, as the heart, lungs, spleen, and especially the liver. If all these were sound, if the top of the liver was large and well made, and if its fibres were strong, it presaged well for the affair in question. Thirdly, Knowledge was also drawn by the *Haruspices* from the manner in which the fire consumed the victim. If the flame brightened immediately, was pure and clear, rose up in a pyramid without noise, and did not go out till the victim was consumed; these were happy signs. Fourthly, The smoke likewise was considered; whether it whirled about in curls, or spread itself to the right or left, or gave a smell different from the common one of broil'd meat. Fifthly, It was a lucky omen, if the incense they burned melted all at once, and gave a most agreeable smell.

Of *Augurs* or *Auspices* (very different from the *Haruspices*) *Romulus*, who was himself skilled in the augural science, established three, one to each *Tribe*. *Servius Tullius*, who added a fourth *Tribe*, is also said to have added a fourth *Augur*. But their college (for so it was called) was afterwards increased to 15, under a head, or *Master of the Augurs*. Their offices, comprized in the augural law, which we find in *Tully's second book of Divination*, were these. They were the interpreters of the will of the Gods, with respect to the making war and peace. And according to the divinity of that time, all were obliged to obey them, in so important an article. They drew their predictions from the different signs, which they said appeared in the air, and upon the earth. Thus what they pronounced to be contrary to the intentions of heaven,

was deem'd unlawful; and it was capital to, act contrary to their decisions. They likewise appointed the expiations they thought necessary, on account of the signs the Gods seemed to give of their anger. And from hence it appears how powerful they were in the *Roman* state; since by pronouncing any affair, any assembly of the *Comitia*, election of magistrates, war or peace, to be disagreeable to the Gods, they prevented it.

They pretended to make these discoveries of the will of the Gods several ways. First, By the flight or chirping of birds. Secondly, By thunder or lightning. Thirdly, By the setting of the wind. Fourthly, By the hunger and different postures of chickens which were bred up in cages on purpose for the *Augur's* use, and were carried about in the *Roman* armies.

When the *Augur*, in the execution of his office, was to observe the heavens, he went up upon some high place; took the augural staff (which was a sort of crozier, bent at one end) in his hand, and mark'd out the four quarters of the heavens with it. Then he turn'd to the east, having the west behind him, the south to his right, and north to his left; and this is what the *Romans* called, *Servare de celo*. In this situation he waited for a sign, by thunder and lightning, birds, or the wind.

When thunder was heard to the left, when the lightning came from the east, and was driven back by the wind to the same point, without darting forward to the west; when it did not upon the falling strike into the earth, but rebound towards heaven: these were happy presages.

As to birds: ravens, owls, and such like, were thought to presage things by their croaking and screeching; but eagles, vulturs, and especially wood-peckers, by their flying, which they observed whether it was from the right to the left, or from the left to the right. As to the wind; its changes were the matter of observation.

When these sorts of signs fail'd, recourse was had to the chickens. Betimes in the morning, the augur whose business it was to observe them, and who was thence called *Pullarius*, (if that name did not rather belong to the keeper of the chickens) having commanded

Gods by augury. 'Tis said, that when he had offered sacrifice in an open place, a flash of lightning gleamed from the left; a lucky omen, according to the augural divinity. Be that as it will, it became a custom established by an express law of *Romulus*, not to raise any person to the royal dignity, the priesthood, or any of the publick magistracies, nor to undertake any war, till the Auspices had been first consulted; and this practice lasted above 700 years. For though it owed its origin to nothing but the ignorance of those early ages, the priests and sacrificers persuading the people, that in the flights of birds, and the entrails of beasts, they could plainly read the destinies of men, yet in process of time, it became one of the chief mysteries of state policy, as there will be frequent occasion to observe in the course of this history.

Year of
R O M E
I.
R O M U -
L U S First
King.
D. Hal. p.
80, 81.

§. IV. *ROMULUS* being thus declared King of *Rome* by the voices of the people, and with the approbation of the Gods, immediately put on a habit of distinction, to give himself a greater air of majesty. He also appointed twelve lictors or sergeants to attend him whenever he should appear in publick, each of them bearing a battle-ax stuck in a bundle of rods, which was then the usual symbol of sovereignty in the petty states of *Hetruria*. But notwithstanding these ensigns of royalty, his power was confined within very narrow limits. For the form of government established by the *Romans*, was, as we shall presently see, a kind of mixt monarchy, the sovereignty being divided between a Head or Prince of the nation, a senate that was to be his council, and the assembly of the people.

Liv., B. 1.
c. 8.

Romulus having numbered the citizens of *Rome*, found them to be about 3000 foot, and 300 horse. He divided them into three equal parts, which were called Tribes or *Thurds*, each being commanded by its Præfect or Tribune.

D Hal B.
2. p 78

These tribes he divided into ten *Curie* or companies of a 100¹ men, each company commanded by an officer, whom *Dionysius* calls *Curio*.

Plut.
Rom
24.

Again, the thirty *Curie* were subdivided each of them into ten *Decurie*: over which were appointed distinct officers, named *Decuriones*.

B. 2 l. 32.

commanded a general silence, caused the pen to be opened, and threw down a handful of crumbs or corn. If the chickens did not immediately run fluttering to the meat; if they scattered it with their wings; if they went by without taking notice of it, or if they flew away, the omen was reckoned unfortunate, and to portend nothing but danger or mischance; but if they leapt presently out of the pen, and fell to so greedily as to let some of their meat drop out of their mouths upon the pavement, there was all the assurance in the world of happiness and success. This augury was called *tripudium quasi terripavium*, the old word *pavire* signifying as much as *ferire*. We meet with *tripudium Solistimum* and *tripudium Somnivum* in *Festus*, both derived from the crumbs falling to the ground.

The *Augurs* had several other ways of diving into futurity. C. & R. and Kennet.

^k *Livy* (B. 1. c. 8.) thinks, that not only the lictors, and the number of them, were taken from the *Hetrurians* (who inhabited the country now called *Tuscany*) but also the *Sella curulis*, and the *Toga Prætexta*.

^l *Dionysius* seems here to differ from *Polybins* and *Varro*. These tell us, that this division took place among the squadrons of horse called *Turmæ*; which has made *Grævius* say, p. 7. of the præf. to 1 vol. of *Rom. Antiq.* that *D. Hal.* is mistaken. Nevertheless we cannot draw thence a decisive proof against the *Greek* historian. What was done in later times with respect to the cavalry, does not contradict the order *Romulus* at first establish'd in the *Curie*. C. & R.

Year of
ROME
I.

ROMULUS
First
King.

Strabo, B.
5. p. 351.

Dion. Hal.
B. 2. p. 82.

p. 83.

p. 84.

Plut. p. 25.

D. H. p.
84.

p. 85.

As *Rome* had at first no lands belonging to her, but what she got by cession from the city of *Alba*, her territory was very small, not above five or six miles in extent. *Romulus* nevertheless shared it into three parts, but not equal. One was allotted for the expences of religious worship; another reserved for the King's revenue and the uses of the state; and the third and most considerable was divided into thirty portions, to answer to the thirty *Curia*.

The next thing done by *Romulus*, was the distinguishing those of the people who were better born, more rich or more eminent for virtue, from the poorer and more ignoble. The former he called ^m *Patricians*, the latter *Plebeians*. All dignities, civil, military, and sacerdotal, were to be confined to the former. But to prevent the seditions which such a distinction might produce through the pride of the higher order, and the envy of the lower, he endeavoured to engage them to one another by reciprocal ties and obligations. Every *Plebeian* was allowed to chuse, out of the body of the *Patricians*, a Protector, who should be obliged to assist him with his interest and substance, and defend him from oppression. These Protectors were styled ⁿ *Patrons*; the protected, *Clients*. It was the duty of the *Patron* to draw up the contracts of his *Clients*; to extricate them out of their difficulties and perplexities, and to guard their ignorance against the artfulness of the crafty. On the other hand, if the *Patron* were poor, his *Clients* were obliged to contribute to the portions of his daughters, the payment of his debts, and the ransom of him or his children, if they happen'd to be taken in war. The *Client* and *Patron* could neither accuse, nor bear witness against each other; and if either of them were convicted of having violated this law, the crime was equal to that of treason, and any one might with impunity slay the offender, as a victim devoted to *Pluto* and the infernal Gods. For more than 600 years, we find no dissensions nor jealousies between the *Patrons* and their *Clients*, not even in the times of the Republick, when the people frequently mutiny'd against the great and powerful.

^m *Dionysius* (in this place) says *Παῖδας*, Fathers; but this title seems to have properly belonged to the senators only; he himself telling us (page 85.) that the senators were chosen out of the *Patricians*, which supposes the distinction of *Patricians* and *Plebeians*, before the election of the Senators or *Patres*.
D. Hal. p. 83, 111.

ⁿ *M. Vertot* quoting only *Dion. Hal.* makes the *Patrons* to be chosen out of the body of the Senate, yet *Dion. Hal.* says, out of the *Patricians*, and he mentions the institution of the patronage before the creation of the Senate: and *Plutarch* (p. 25.) affirms, that the *Patrons* were taken from the wealthier sort, who were not of the Senate.

According to *Plutarch* (p. 24.) the word *Patron* comes originally from one *Patro*, an *Arcadian*, a companion of *Evander*. He was a man very assistant to the defenceless, and a protector to the poor. Be that as it will, the inhabitants of *Rome* were not the only persons who had their *Patrons*. The colonies, and other cities allied to, or conquered by the *Romans*, had afterward their *Patrons* also at *Rome*. The only alteration in the *Patronage*, as instituted by *Romulus*, was of the custom of the *Clients* sometimes parting with their goods in favour of their *Patrons*. The *Romans* thought it unworthy of them to sell their protection. Of this *Plutarch* assures us, p. 25.

Year of
ROME
1.

ROMU-
LUS First
King.
D. Hal. B.
2. p. 85.

§. V. THE establishment of a ^o SENATE to assist the King in the administration, succeeded the institution of the *patronage*. Romulus composed it of a hundred men chosen out of the *Patricians*; but the choice was not made by the King himself; ^p he named only the first, who was to be chief Governor of the city, whenever the King should be in the field; then each tribe elected three, after which each of the thirty *Curie* chose three, which completed the number of a hundred Senators. They were called *Patres*, [Fathers] either upon account of their age, or their paternal care of their fellow citizens. “Those who anciently composed the council of the Republick (says *Sallust*) had indeed bodies enfeebled by years, but their minds were strengthen’d by wisdom and experience.” Their descendants, to whom alone some appropriate the name of *Patricians*, were the prime Nobility among the *Romans*.

§. VI. TO form a guard for his Person, the King made a draught, ^{p 86} from each *Curie*, of ten horsemen, the whole number amounting to three hundred. These were called *Celeres*, either from their first captain, whose name was *Celer*, or else upon account of the *celerity* with which they executed the orders they received. They fought on foot or on horseback, as the occasion required, or the ground would allow ¹.

§. VII.

^o *Plutarch* says, (p. 24.) that *Romulus* stiled his hundred Counsellors, *Patricians*, and the whole body of them the Senate, which signifies properly (says he) a consistory of old men. He adds, some say the *Patricians* were so called, because they were the fathers of legitimate children; others, because they could tell who their fathers were, which every one of the rabble that poured into the city could not do; others from the word *Patrocinium*, Patronage, because they were the defenders of the poor and weak; but he seems to think it most probable, that they were so stiled from the people's calling them and esteeming them as *Patres* or Fathers, on account of their being so protected by them.

^p *Livy* seems to ascribe the choice of all the Senators to the King, when he says (B. 1. c. 8.) that *ROMULUS* created one hundred Senators: Nevertheless it is not clear, that by those words he meant, that the hundred Senators were created by the single authority of the King, and in virtue of his royal prerogative. In whom resided the Power of creating Senators? is a question which neither *Livy* nor any of the *Lakne* writers “treat professedly, but touch it only incidentally; and it is natural to all, upon the slight and occasional mention of an Event, to ascribe it to the principal agent, concerned in its production; so as to impute the acts of popular assemblies to the Prince or ruling Magistrate, who convened and presided in them, and had the chief influence perhaps in deter-

“ mining the transactions themselves. Thus “ when *Livy* tells us that the *Præfect* of the “ city created the first *Consuls* [1. 1. c. 60.] and “ that *Brutus*, one of these *Consuls*, created *P. Valerius*, his colleague in that office [1. 2. c. 2.] “ or that the *INTERREX*, on other occasions, “ created the *Consuls*, [1. 9. c. 7.] or that the “ *Pontifex Maximus* was ordered by the Senate “ to create the first *Tribuns*, [1. 3. c. 54.] he “ means nothing more, than that those Magistrates called the people together, in order to make such creations, in which they assisted and presided. *Ibi exemplo, Pontifex Maximo comitia habente, Tribunos Plebis creaverunt.* [ibid.] And as this is the usual stile of all writers, so it is peculiarly of those, who write the History of their own country, and for the information of their own people; who have not the patience to treat minutely of things which they suppose to be known to their readers, as well as to themselves: and hence it sometimes happens, that the origin of Customs and Constitutions of the greatest importance are left dark and obscure, not only to strangers, but even to the natives of later ages.”

Dr. Middleton's treatise on the *Roman Senate*, p. 18.

¹ Thus far *Dion Hal.* concerning the *Celeres*. *M. Vertot* adds, that the state found each of them a horse (*Equus*) from which they were called *Equites*, and that they were distinguished by a gold Ring, and thus he makes these

Year of
R O M E
I.

§. VII. THE respective powers and privileges of the King, Senate, and People, were thus settled:

R O M U -
L U S Fift
King.
D. Hal B.
2. P. 87.

The KING was to be in all religious affairs supreme; he was to be the guardian of the laws and customs, to take cognizance of the weightier causes between man and man, referring those of less moment to the Senate, upon whose decrees he had nevertheless a controul. It belonged to the King to convene the Senate and the assemblies of the people, propose affairs to them, give his own opinion first, and then do what was concluded upon by the majority. He was also to command the army in time of war with absolute authority; and he had the care of the publick money.

The SENATE were not only to be Judges in private causes, but to deliberate upon such publick affairs as the King proposed, and to determine by the plurality of voices.

Ibid.

To the ASSEMBLIES OF THE PEOPLE three things were committed; to create magistrates, make laws, and determine concerning any war that was proposed by the King; yet in all these things the Senate's approbation was necessary.

Ibid.

Ibid.

The people for many years gave their voices by *Curie*, in which every private man had his vote. The majority of votes in each *Curia* determined the sense of that *Curia*, and what the major part of the 30 *Curie* agreed to, was deemed the resolution of the whole assembly, which assembly was therefore called *Comitia Curiata*.

Such was the fundamental constitution of this state, neither purely monarchical, nor entirely republican; the King, the Senate and the People, were in a sort of mutual dependence on each other, from whence resulted a balance of power, whereby the Regal Prerogative was restrained, a useful authority preserved to the Nobles, and the liberty of the People secured.

§. VIII. ROMULUS considering that the happiness of states depended upon the favour of the Gods, which was only to be obtained by the piety and virtue of the people, proceeded to the establishment of *religious* and *civil laws*.

p 90, &
seq.

With respect to RELIGION, He did not give it all that form in

Celeres or life-guards the first Roman Knights, and speaks of them as a kind of middle order, between the *Patricians* and the people. But *Dion. Hal.* tho' he mentions the forming of this Life-guard, immediately after the creation of the Senate, says nothing of the Ring, nor of any of those marks by which the Equestrian Order was afterwards distinguished from other *Plebeians*. And *Livy* does not mention the creation of any Knights till the union of the *Romans* and *Sabines*. He seems to think, that the *Celeres* or life-guard which *Romulus* kept in pay in time of peace as well as war, were not formed

till towards the end of his reign, when he affected despotism and tyranny. *Plutarch* seems also of that opinion.

M. Vertot says (p. 6. Tom. 1.) that he directed the disposal of the publick money, which was under the care of two treasurers, afterwards called *Quæstors*; but I do not find this in the authors cited by him, and it seems not well to agree with what he himself says (p. 59.) of the institution of two treasurers in the time of *Poplicola*; till then the Kings or Consuls seem to have had the keeping of the publick treasure. See the Consulship of *Poplicola* in this history.

which

which it afterwards appeared: he only regulated the worship of those Divinities which *Evander* had introduced, of those which *Aeneas* had brought from *Phrygia*, and of those which the *Aborigines* had honoured in their time. He neither introduced the infamous fables of the *Greek* Divinities into the publick faith, nor suffered any licentious ceremonies in the publick worship. He appointed that every *Curia* should have its own temple (which was itself called *Curia*) and its peculiar God and Priest; that the people should assemble on certain stated days, in *Cannacula* or publick halls built for that purpose, each of which was consecrated to its particular Deity, and that they should there feast in common upon the victims offered to the Gods. *Romulus* likewise established festivals, whereby religion became an ease and relief to a laborious people.

The ministers of the Gods were to be at least 50 years old, and none but their wives could perform the functions of priestesses. Their sons, to the age of *puberty*, were to wait at the altars, and their daughters so long as they continued virgins. The girls were called *Camillæ*, the boys *Camilli*. When a priest had no children of his own, he might chuse the handsomest children in his *Curia* to attend him in the sacrifices. To the sacerdotal families were granted distinguishing privileges. The laws exempted them from paying taxes, and from bearing arms. As the Priest's office was for life, it excited the ambition of many; but *Romulus* forbade all intriguing and caballing to obtain it, as also the purchasing it with money, and the trusting it to the hazard of lots. He left to the *Curia* the free choice of their Priests; and as these ministers of religion were laid under an obligation to acquaint themselves with the laws and customs of their country, and to record the principal events that happened in the state, they were its first historians and first lawyers.

§. IX. AS to the civil laws of *Romulus*, we have only some few fragments of them. The first relates to marriages; it decrees that the wife shall not leave her husband upon any pretence whatsoever, at the same time that it allows the husband to put away his wife*, and even to punish her with death (her relations concurring in the sentence) in case she be convicted of adultery, poisoning, making false keys, or only of drinking wine†. *Romulus* thought it necessary to be thus severe in the article of wine, in order to prevent adultery, which he looked upon as a

* *Plutarch* in his life of *Romulus* says, that if the husband put away his wife for any other cause, but for poisoning his children, counterfeiting his keys, or adultery, he was to give one moiety of his goods to his wife, and consecrate the other to *Ceres*.

† This law was so severely observed, that, according to *Valerius Maximus*, B. 6. de *Scveritate*, *Egnatius Metellus*, who caught his wife drinking wine, and killed her upon the spot, was neither brought to a trial, nor censured for it: And *Fabius Pictor* mentions another woman whom her relations

starved to death, for having broke open the chest in which were the keys of the cellar. *Aulus Gellius* and *Pliny* likewise assure us, that in consequence of this law, it was customary at *Rome* for the ladies to be saluted by their near relations whenever they met them, not so much out of civility and friendship, as to find out by their breath whether they had been drinking wine. But in process of time, the severity of this law was somewhat abated. Women who had drunk wine, were only condemned to lose their portions. C. & R.

second drunkenness, and a natural effect of that dangerous liquor. Each husband was confined to one wife, and their " goods were in common between them, but under the administration of the husband. The wife was declared universal heiress * to her husband, if he died intestate, and without children; but if he had children by her, they were to be equal sharers with her in the inheritance. It is very remarkable, that notwithstanding the power given to husbands to put away their wives, there was no instance of a divorce among the *Romans* for 520 years.

Nothing ever equalled the severity of the law which *Romulus* made in relation to children. He gave their fathers an absolute power over them. A father by his own private authority could imprison his children, put them to death, and even sell them for slaves three times over, of whatever age they were, or to whatever dignity they had arrived †.

Plutarch observes it as a singular thing in *Romulus*, that, calling all murder parricide, he ordained no punishment for real parricide, believing it an impossible crime; and indeed for near 600 years, it was not once known in *Rome*.

By another law of *Romulus*, who knew that the power of a state consists not so much in the extent of its territory, as in the number of its people, it was made criminal to kill an enemy who yielded, or so much as to sell him. His chief view in making war, was to conquer men, being sure of not wanting lands, if he did not want troops.

* This community of goods was thus expressed in the marriage ceremonies: The persons to be married came to a sacrifice, in presence of ten witnesses; and the priest, among other offerings presented a wheat loaf, and scattered pieces of it over the victim. This was to shew that bread, the symbol of all other goods, should for the future be in common between the husband and wife; and this rite was called *confarreatio*. Hence it is said in *Romulus's* law, *Uxor farreatione viro juncta, in sacra & bona ejus venito*. It appears likewise by the same law, that the wife, upon marriage, professed the same Gods, and the same worship with her husband; both as to the household Gods of each family, and the respective God of each *Curia*. The law adds, *jus devortendi nesto, i. e.* let not the husband have an absolute and unlimited power of divorcing his wife. This is the strict meaning of *devortendi*; but it is also sometimes used to signify a power of refusing to accept the person who had only been betrothed. C. & R.

† This is what *D. Hal.* says of the wife's interest (in *Romulus's* time) in the husband's effects after his decease. But this law is not among those of *Romulus*, which now remain.

There were two sorts of marriages among the *Romans*: The first was to marry their wives without any other covenant, but that of keeping them in their houses. But these were not truly wives, till they had continued with their husbands a whole year, without three days interruption: And this was called a marriage by use, *usu*. The other way was, to marry a woman after marriage covenants had been made; and this was called a marriage by mutual sale, *ex coemptione*. In this case the woman gave her husband three pieces of money called *Asses*, to express that she purchased of him a right of sharing in his goods; and the husband gave the wife the keys of the house, to shew he committed to her the care of the family. These latter only were called mothers of families, *matres-familias*; and it is probable, that they only were sole heiresses to their husbands. C. & R.

‡ In case a child was born with any monstrous deformity, the fathers might make away with it; but if it was a son, or an eldest daughter, he was first to advise with five of his neighbours; if he did not observe this rule, the half of his goods were confiscated to the publick use. *Inst.* (*Jus-tin.* B. 1.) C. & R.

As this Prince was of opinion, that the sedentary arts and occupations emasculate men's minds, and enervate their bodies, he permitted none but strangers or slaves to be employed in them. He confined the citizens to the two professions of war and agriculture; and considering the ill consequences that might arise from dividing the employments, he made every *Roman* of free condition exercise both.

Year of
R O M E
1.
R O M U -
L U S First
King.
p. 93.

§. X. THUS was the colony settled; and the form of its government, and the wisdom of its laws attracted strangers to *Rome* from all parts. But what contributed most to people the city, was an asylum or sanctuary of refuge, which *Romulus* opened for runaway slaves, homicides, out-laws, and persons plunged in debt. Nor was the appearance of religion wanting to cover the King's policy. This sanctuary was dedicated to a new sort of Divinity, called the *Ashlean* God, under whose protection all sorts of criminals and discontented persons who fled from their own countries to *Rome* were to live securely. *Romulus* made them all soldiers, and *Rome* in a little time became formidable to her neighbours. The *Romans* wanted nothing but women to secure the duration of their state. The King therefore sent Deputies to the *Sabines*², and the other neighbouring nations, to propose alliances with them by marriages of their daughters with his *Romans*. He represented to them, that new colonies were not always contemptible, and that the Gods had hitherto shewn favour enough to *Rome*, to make it no dishonour to enter into alliances with her. But as the *Sabines* had begun to look upon *Romulus*'s new settlement with a jealous eye, they absolutely rejected his proposal, and some of them added raillery to the refusal, asking the deputies why their Prince did not open an asylum for vagrant women, and slaves of that sex, as he had done for men: your people then, said they, will be well matched; a pack of vagabond and loose women will make the fittest wives for a crew of fugitives loaded with crimes or debts.

B. 2. p. 88.
Liv. B. 1.
c. 8.
Plut. in
Rom. p.
22.
Livy, B. 1.
c. 9.

§. XI. WHEN this insulting answer was brought to *Rome*, *Romulus* heard it with the quickest resentment, resolving to be revenged, and to take away the daughters of the *Sabines* by force. He communicated his design to the Senate, and had their approbation of it. The only question was, how to succeed in the enterprize. It happened, or so it was pretended, that as workmen were digging in a field near *Rome*, they found a subterraneous altar dedicated to the God *Consus*, or the God of council, who is the same with the *Equestrian Neptune*². The discovery of this altar furnished *Romulus* with a pretext to proclaim a festival and publick sports in honour of the God. He notified the day he had

Ibid.
Plut. in
Rom. p.
25.

² The *Sabines* possessed that part of *Italy* which lies between the *Tiber*, the *Tevere*, and the *Apennines*. They inhabited divers little towns, some of which were governed by petty Princes, and others only by magistrates, and in form of a republick; but their particular governments were dif-

ferent, they were all united by a kind of league and community which formed the several societies of that nation into one state. The *Sabines* were some of the nearest neighbours to *Rome*.

* See page 8.

Year of
ROME
I.

ROMU-
LUS First
King.

D Hal. B.
2. p. 99.
Plut in
Rom. p.
25.

p. 26.
Livy, B. 1.
c. 9.

In Rom.
p. 26.

fixed for these games ^b to the neighbouring towns, and made all the pompous preparations for them, that the poverty of his colony would admit.

Those of the *Sabines* who lay nearest to *Rome*, flocked thither in crowds upon the day appointed for the solemnity, as *Romulus* had foreseen they would; no small numbers came also from the little towns of *Canina*, *Crustumerium*, and *Antemne*. The strangers were received by the *Romans* with great demonstrations of joy. Every citizen had his guest, whom, when he had treated him in the best manner he could, he conducted and placed where he might conveniently see the sports. The peace and harmony that continued for some days ^c, lulled the strangers into security; for the *Romans* did not put their enterprize in execution till the last day of the festival. They had received orders to come armed that day, but to conceal their arms under their cloaths. When the multitude were most attentive to the show, *Romulus*, who presided at it in a staped robe called *Trabea* ^d, rising from his seat, gathered up his robe, and threw it over his body. This was the signal agreed upon. Instantly the *Romans* drawing their swords, rush'd in among the strangers, and seiz'd their daughters. The men being unarmed and terrified, ran away, and the *Romans* who had no design of shedding blood, let the fathers and mothers depart in safety. In the hurry of the action, some *Romans* of distinction perceiving a body of their people carrying off a young woman of singular beauty, envied them so fine a prey, and attempting to take her from them, the latter cried out *Thalassio*, *Thalassio*, meaning that the young person was designed for *Thalassius* ^e, a brave and worthy *Roman*, much esteemed in the colony; and

^b As to the nature of these games, it is probable they chiefly consisted of races, wrestling, and the like, since this was the manner that afterwards prevailed of celebrating the *Consualia*, which were perpetuated at *Rome* in memory of this first show given by *Romulus*, and according to *Plutarch*, annually observed on the 18th of *August*, because the rape of the *Sabines* was on that day. C. & R.

^c The festival began in the beginning of the month *Sextilis*, and did not end till the 20th. Reckoning from *March*, which was the first month of the year in *Romulus's* calendar, the 6th month was *August*, which was for that reason called *Sextilis*, even after the regulations made by *Numa Pompilius* and *Julius Caesar*. C. & R.

^d The learned have wearied themselves with enquiries about the habits of the ancient *Romans*, especially the *Trabea*. All things considered, *Dion. Hal.* and other ancient authors, incline one to believe it was very like the *Toga*; with this difference, that it was adorned with stripes of purple, at due distances, on a white ground. This was the ordinary habit of the Kings of *Rome*: and it

will hereafter appear, that the chief magistrates of the republick, and the *Romish* Knights, appeared in it, on certain days of ceremony. But there was likewise another sort of *Trabea* worn only by the *Augurs*; of which more in its place. C. & R.

^e This is the opinion of *Livy* and *Plutarch*. *Varro*, as quoted by *Sex. Pompeius*, differs from them. He thinks the word *Thalassio* anciently signified those little baskets in which the ladies put their work to this day. As the *Sabine* virgins would not afterwards give themselves voluntarily to the *Romans*, but on condition that they should only be obliged to work in wool, they carried little baskets to their husbands houses, on the day of marriage, to put their work in. Others say (*Plut.* p. 26.) *Thalassio* was the word *Romulus* had agreed to pronounce, when the *Romans* were to begin the rape. And indeed this cry suited very well with the God of the sea, whose festival they then celebrated: And therefore the poets always give him the surname of *Thalassios*. *Aristophanes* speaking of *Neptune*, calls him Θαλάσσιος Ποσειδών. C. & R.

hence it was, that the crying out *Tbalaffio* became customary at *Rome* in the marriage ceremony, as *Hymen* and *Hymenæe* prevailed among the *Greeks*.

As this violence had been dictated by publick necessity, rather than brutal passion, *Romulus's* orders are said to have been observed with great exactness; he had forbid any further attempts upon the women, till marriages should be solemnized in form. For this purpose he commanded the *Sabine* virgins* (for they were all called *Sabine*, because the greater number was of that nation) to be brought into his presence the next day. They were by this time a little recovered from their fright, and the King comforted them under the loss of their relations by words to this effect.

"The *Romans* have not used this violence with an intention to dishonour, but to marry you; such methods of procuring wives are ancient in *Greece*, and, to women, more honourable than any other. Soften therefore the fierceness of your anger, impute our offence to your own fathers; who scornfully rejected our civil requests, and surrender your hearts to those men to whom fortune has given possession of your persons. Wrongs and injuries are often the forerunners of love and friendship; you will find your husbands behave themselves with so tender an affection, as shall leave you no cause to regret the loss of either your parents or your country." To these words of the King the young men added caresses and flatteries, pleading violent love in excuse of their fault; love, of all pleas, says *Livy*, the most easily admitted by woman-kind.

After this, *Romulus* without delay married the women to his *Romans* by the same form, which was ever after used in marriages, *Partake ye of your husband's fire and water*: and it was not long before they experienced the truth of what *Romulus* had foretold them. The merit and fondness of their husbands made them forget their native country and their father's houses.

As to the number of these *Sabine* women, some historians make them to have been 683, others 527, and others reduce them to 30, the number of the *Curia*, deriving the word *Curia* from *Cures*, the name of the town of which the women were for the most part natives; but no eminent historian is of this opinion.

* It is an ancient historical tradition, that the brides never stepped upon the threshold, when they went into their husband's houses. They were held up to prevent it. It is decreed to *Vesta*: but *Plutarch* (p. 26.) says, it was to shew, that the first marriages were made by rapes. And from hence, say some authors, comes the custom of parting the Hair of the new married women with the point of a lance. This was intended to shew, that iron and violence gave the first *Romans* their wives: and the truth of this custom seems to be confirmed by *Ovid*, in these words,

*Turritaque premens frontem matrona coronâ
Translatâ vitat contingere limina plantâ.*
Pharf. B. 2.

Varro indeed contends, that it was out of respect to this part of the house which was con-

Comat virgineas hasta recurva comas.

D. Hal. B. But whatever was their number, it is agreed, that among them all, there
2. p. 110. was only one married woman; whose name was *Herfilia*. She either was
 mistaken for a Virgin, or, as some say, would not leave her only Daughter.
Plut. in *Zenodotus*, a Greek historian, mentioned by *Plutarch*, says, that *Romulus*
Rom. p. made her his wife, and had a daughter by her, named *Prima*, because she
26. was his first child, and a son named *Abilius*. But other writers contend,
ROMÆ that *Herfilia* was married to a noble Roman named *Hofus*, and that *Tullye*
I. *Hofilius* the third King of *Rome* descended from her.

ROM U- §. XII. THE *Sabines* are held by some to have been a colony of *La-*
LUS First *cedæmonians*, transplanted into *Italy*; and it is not improbable. At least
King. the moderation, wisdom, and frugality of these two nations, gave them a
 great resemblance to each other. Their state was a pretty extensive one,
 if compared with the little neighbouring sovereignties; but the people lived
 mostly in villages that were open on all sides, or only enclosed with pali-
 sades. And therefore, though their courage excited them to revenge the
 affront they had received in the persons of their daughters; yet their pru-
 dence made them seek to repair their honour by a treaty, before they would
 run the hazard of a war. They sent to demand the restoration of their
 daughters, promising on that condition to enter into a friendly and neigh-
 bourly alliance with the *Romans*. But *Romulus* was inflexible. He on
 his part demanded, that the *Sabines* should confirm the marriages of his
Romans, which were made indeed by violence, but a violence that was be-
 come necessary. Whilst the treaty, which went on slowly, suspended hos-
 tilities on both sides, *Acron*, whom the historians call King^s of *Cænina*,
 prevented the *Sabines*, and took the field before them. He was a man of
 valour, and had signalized himself in many battles. He thought the neigh-
 bourhood of the *Romans*, which had given him jealousy from their first
 establishment, was now indeed become formidable since the audacious Rape
 committed upon the *Sabine* women, and that it was necessary to crush, in
 its infancy, a colony which otherwise would increase in strength as it grew
 in age: And for this reason he solicited the *Sabines*, as also the inhabitants
 of ^h *Crussumerium* and *Antemna*, to join their forces with his. Their slowness
 made him impatient: He imagined he could, without their help, subdue
 a handful of Men, got together in a city newly founded, and very little for-
 tified: But the march of his army had more the air of an incursion of rob-
 bers, than of a regular expedition. The *Cæninenses* having ravaged the
 lands of *Rome*, *Romulus* did not confine himself within his walls: He in-

^s *Cænina* was situated on the confines of *Latium* and *Sabinia*. *Plutarch* and *Stephens* make it a city of the *Sabines*; but the authority of *Livy*, *Dion. Hal.* and *Festus*, who think this a city of ancient *Latium*, is against them. *Cluverius* thinks, that *Cænina* was on this side the *Anio*, four miles from *Rome*. *Hofte-*
nus places it beyond that river, in the neigh-
 bourhood of *Monticelli*. C. & R.

^h *Crussumerium* and *Antemna*, were either

subject to, or in the neighbourhood of *Sa-*
binia. Some geographers think the former
 was situated near the place where *Marciglia-*
no Vecchio now stands. They place the latter
 upon the *Tiber*, almost between the *Fiburtine*
 and *Nomantine* ways. But it is uncertain
 where they stood. *Plutarch* (p. 27.) says, that
Fidenæ made a league with *Crussumerium* and
Antemna, against the *Romans*. C. & R.

stantly marched out against the enemy, and joined battle with them in the open field, where the *Romans* fought for every thing that was dear to them, and even for the hopes of posterity. In the heroic times it had been a common custom, and it was not yet abolished, for the two commanders in the heat of an engagement mutually to provoke each other with their eyes and voices to single combat: Upon which the armies opened, and left a space where their leaders were to fight. *Romulus* and *Acron* challenged each other, and on this occasion the former made a vow to *Jupiter*, that if he came off conqueror, he would erect a trophy to him of the spoils of the conquered. As impressions of religion frequently exalt a man's courage, the young King performed the hero so well, that he slew his enemy, an experienced warrior, and stripped him of his armour. The death of *Acron* was followed by the rout of the *Cæninen-ses*; and *Romulus* pursued them to their town, which they had of late slightly fortified. The *Romans* entered it with the runaways, and took it without opposition. And then did the Conqueror give a signal proof both of his moderation and his good policy. He spared the blood of the conquered, and contented himself with razing *Cænina*, and carrying the inhabitants to *Rome*, to augment his colony: And the establishment he gave them, upon the same foot with his first citizens, became a precedent to himself, which he ever after followed on the like occasions. And now, either out of ostentation, or to animate his people with an ardent love of glory, he celebrated his victory with a new kind of pomp. He decreed himself the honours of a triumph¹; for so was called the reception given to Generals at their return from successful expeditions. Nor is it improbable, that this example of *Romulus's* triumph excited the emulation of succeeding commanders, and contributed as much as any thing to the

Year of
R O M E
I.
ROMU-
LUS First
King.
Plut. in
Rom. p.
27.

¹ The use of trophies, especially among the *Greeks*, is immemorial. It was customary to erect them upon the field of battle. The ancient trophies consisted of a post, a stake, or a trunk of a tree dressed up with the spoils of the enemy. The figures of them are to be seen on several medals, which were struck after the gaining of great and important victories. In after-times, conquerors erected pillars of brass, or marble, or stone, and towers, and triumphal arches, with inscriptions to perpetuate the memory of their victories. But according to *Plutarch* in his *Roman questions*, those who first made use of marble and brass for trophies, were abhorred, because, says he, it seemed inhuman to transmit the shame and misfortunes of people to future ages: and he adds, that in consequence of this, they would not suffer the triumphal arches to be repaired. These monuments were generally dedicated to some divinity. C. & R.

² If we may believe *Dionysius Halicarnas-*

sus, *Romulus* preserved the city, and gave the inhabitants their choice, either to stay at home or settle at *Rome*: and the same author adds, that the conqueror thought fit to send a colony of three hundred *Romans* to *Cænina*. C. & R. p. 103.

¹ This was the first *Roman* triumph. The word comes originally from *Θρίαιμα*, one of the names of *Bacchus*, who conquered the *Indies*; and who, according to *Pliny* and *Diodorus Siculus*, first received the honours of a triumph. They who followed the conquerors, made the air resound with this name of *Bacchus*; whence the acclamation, *Io Triumphe!* which is thus expressed by *Horace*:

Tuque dum procedis, Io Triumphe!
Non semel dic meus Io Triumphe!
Civitas omnis.

The order, laws, and pomp of the ancient triumphs will be spoken of hereafter. C. & R.

Year of
R O M E
I.

R O M U -
L U S First
King.

conquest of the world : But the preparations for this ceremony were suitable to the poverty of the Romans in those days : *Romulus* did not ride in a chariot, but entered *Rome* on foot ^m, with his troops marching some before and some after him. His long hair flowed upon his shoulders, and his head was crowned with lawrel. He had fixed the spoils of *Acron* to the trunk of a small oak, and covered it with them. This trophy represented a man armed, which the King carried in triumph on his right shoulder. All the people came out of the city to meet the conqueror, singing his praises ; and lined the road on both sides. As soon as he entered *Rome*, they presented him wine, and before the houses, spread tables for those of the soldiers who wanted to refresh themselves. *Romulus* proceeded in the same order he entered the city, to the hill *Saturnius*, where, after the procession was over, he erected a small temple of only ten feet long, and five broad ; and here the triumphant victor deposited his trophy, consecrating it to *Jupiter* * *Feretrius* ⁿ. This name was then given to *Jupiter*, because *Romulus* had himself carried thither the present he had vowed : And a name of distinction was likewise given to the spoils of the King of *Cænina* ; they were called ° *opima Spolia*, because they were more honourable than any other, being taken by the General of the *Roman* army, from the General of the enemy's army, after he had killed him with his own hand.

* a seren-
do.

Plut. in
Rom. p.
27.
Livy, B. i.
c. 11.

Not long after this, *Romulus*, with one ^p Legion, levied in haste, subdued the *Antemnates* and *Crustumini*, who had taken arms on the same account as the *Cæninenses*. *Herfília*, who was of *Antemnæ*, interceded with him for her countrymen ; and as lenity suited best with the King's po-

^m *Dion. Hal.* (p. 102.) represents *Romulus* as carried in a chariot drawn by four horses, τριδύμῳ παραμυθένῳ, during the ceremony of his triumph ; but *Plutarch* (p. 27.) and *Zonaras* affirm, that the elder *Tarquin* was the first that triumphed, drawn in a chariot : and the former of those writers says, there were statues at *Rome* in his time representing *Romulus* on foot loaded with his trophy.

ⁿ *Plutarch* (p. 27.) derives the word *Feretrius* from *ferire* to strike ; and supports his conjecture by *Romulus's* prayer to *Jupiter* to strike *Acron*. But this interpretation does not very well agree with what he says in another place, that the *Greek* tongue was in use in the reign of *Romulus*. What he says in his life of *Marcellus*, is most probable, namely, that *Feretrius* came originally from *φίετρον*, which signifies any machine for carriage. C. & R.

° *Festus* derives the word *Optima* from *Ops*, which signifies the earth, and the riches it produces ; so that *optima Spolia*, according to him, signifies rich spoils. But *Plutarch* (p. 27.) derives it from *Opus*, as if one had said *spoils difficult to be obtained*. This name was given only to such spoils as the General of the Ro-

man army had taken from the General of the enemy's troops ; at least this is *Plutarch's* opinion. Though *Varro* assures us, that not only a subaltern officer, but even a common soldier might make a trophy of the spoils he had taken from him who commanded in chief the enemy's army. In the space of about five hundred and thirty years after *Romulus*, only *Cornelius Cossus* and *Cladius Marcellus* are recorded to have had the glory of carrying off this sort of spoils. C. & R.

^p The word *Legion* comes from *legere*, which signifies to *choose*. And indeed the *Roman* legions were all *chosen* men. The number of men in a legion, was different at different times, as will be occasionally observed in the course of this history. It is sufficient to observe here, that when *Livy* says, *Romulus* led one legion against the *Antemnates*, he must be understood to mean, that he led three thousand foot and three hundred horse against them ; which were then the best part of the *Roman* forces. *Plutarch* (p. 24.) says, that the *Roman* legion consisted at that time of three thousand foot and three hundred horse. C. & R.

licy,

licy, having first consulted with the Senate, he transplanted the inhabitants of both the conquered cities to *Rome*, where they were admitted to all the privileges of *Roman* citizenship; and he sent colonies from thence into their towns. By this conduct, the reputation of his clemency, as well as bravery, became so great, that several cities of *Hetruria* voluntarily submitted to him. *Cælius* an *Hetrurian* Leader brought to *Rome* all the troops under his command, and settled on a hill near the city, which from him took the name of *Moun' Cælius*.

Romulus was now obliged to enlarge the bounds of *Rome*. The city had hitherto contained only the hill *Palatinus*, which was encompassed with a square wall: But upon this augmentation of inhabitants, it spread itself to the *Capitol*, then called the hill *Saturnius*; and on the top of that hill they built a citadel, which was committed to the government of a noble *Roman* named *Tarpeius*; it was surrounded on all sides with ramparts and towers, which equally commanded the city and the country. They likewise built a wall from the foot of the hill *Saturnius* to the *Tiber*, and opened a gate in it which they called *Carmentalis*.

§ XIII. BUT this increase of the *Roman* forces and fortifications did not terrify the *Sabines*. They sent a second deputation to *Romulus*, to demand back their daughters, and upon his refusal, they march'd towards *Rome* with an army of 25000 foot, and 1000 horse, under the command of their King *Titus Tatius*. The troops which *Romulus* led against them, are said to have been not much inferior in number, for he received supplies from his grandfather *Numitor*, and from *Hetruria*; the *Hetrurians* being commanded by one *Lucumo* a brave warrior, or rather by one of their 12 *Lucumones* or governors. *Romulus* posted his army on the hills *Lsqulinus* and *Quirinalis*. D. Hal. B. 2. p. 105.

The *Sabines* advanced in good order, and encamped at the foot of the hill *Saturnius*, in that plain since called the *Campus Martius*. *Tatius* seeing all the posts guarded, was extremely uneasy about the success of his enterprize: But an unforeseen adventure extricated him out of his difficulties. As the *Sabines* were roaming round the hill, to find a passage whereby they might get into the citadel, the Governor's daughter, named *Tarpeia*, who went accidentally to draw water for a sacrifice, was much taken with the bracelets and rings with which the enemies were adorned. She therefore privately sent one of her maids to desire a conference with the *Sabine* General; and at night, *Titus Tatius* came to the Postern-Gate that had been shewn him, and agreed to give *Tarpeia* what the soldiers wore on their left arms, provided she would facilitate their entrance into the citadel, by that very gate. It is probable the young woman, whose eyes were at first so dazzled with the ornaments of the *Sabines*, repented of her treachery: And then, in order to turn the stratagem against the *Sabines* themselves, she sent to *Romulus*, desiring a strong body of troops to oppose *Tatius*, who expected to enter the Citadel the night following, by a gate that she was to open to him. But it unfortunately happened that the messenger proved a traitor, went to the camp of the *Sabines*, and in-
formed.

Year of ROME 1. formed them of the ambush that was laying for them. *Tatius* did not fail of being at the gate at the time appointed, but with a greater body of men than *Tarpeia* expected. As soon as it was opened, he led in his troops and made himself master of the citadel: And then the *Sabines* are said to have crushed *Tarpeia* to death with their bucklers, which they threw upon her, thinking themselves to have discharged their promise by thus giving her what they wore on their left arms.

From her the hill *S. turmus* took the name of *Tarpeius*, which it retained till it got that of *Capitolinus* (from the head of one *Talus*, which was found there when workmen were digging to lay the foundations of a temple to *Jupiter*.) And even then, the steepest part of it, down which criminals were thrown, continued to be called *The Tarpeian Rock*.

D. H. p. 107. The *Sabines*, now masters of the Citadel, had the advantage of being able to continue the war with more security. For a long time, on't high skirmishes past between the two parties without much advantage on either side. At length both armies resolved to come to a general engagement. The first action (which the night put an end to) determined nothing, the success being equal on both sides. In the second, the *Romans* at the beginning had the advantage, in both wings commanded by *Romulus* and the *Lucumo*, till a brave *Sabine*, named *Metius Curtius*, who commanded the main body of the *Sabine* army, turned the scale in favour of his countrymen. He broke into the center of the *Roman* army, and, with design to give the wings of the *Sabines* an opportunity of rallying, pursued it to the very gates of *Rome*. *Romulus*, seeing this, press'd no longer after that wing of the *Sabines*, which he had forc'd to give ground, but immediately faced about, and hasten'd to attack *Curtius*; who, making a gallant resistance, facilitated the retreat of his countrymen toward their camp. At length *Romulus* met him and engaged him in single combat. *Curtius* being now wounded in several places, and unable to maintain the fight, threw himself into a lake which was made by the inundation of the *Tiber*, because on all the other sides he was surrounded by enemies. This lake was very full of mud towards the banks, and the water was deep in the middle; so that *Romulus*, thinking his enemy could not escape perishing, returned to the pursuit of the *Sabines*. But *Curtius*, tho' encumber'd with his armour, got safe out of the water, and left his name to the place; it was ever after call'd ^a *Lacus Curtius*, even when it was dried up, and almost in the center of the *Roman Forum*.

p 109. *Romulus*, upon his return to his army, pushed the enemy with such vigour, that they fled in confusion, and took refuge in the Citadel. The *Romans* followed them, and, flushed with their success, expected to have retaken it. But the *Sabines* rolling great stones from the top of the hill, one of them hit *Romulus* on the head, and stunn'd him; so that falling down senseless, he was carried out of the field into the city. This accident re-

^a *Proculus* says, that the *Lacus Curtius* was so called, from the famous *Curtius*, who leap'd into the gulph that opened in that place.

And others think that it received its name from *Curtius* the Consul (colleague to *M. Gracchus*) who wall'd it in.

vived the courage of the *Sabines*; the *Romans* were put to flight in their turn, and pursued to the very gates of *Rome*. However, *Romulus* having by this time recovered his senses, rallied his troops, put himself again at their head, and drove the enemy back to the Citadel.

Year of
R O M E
I.

R O M U -
L U S First
King.

Annal.
Victor,
Sec.

Plut. p. 29.

We are told that in the most critical minute of the day, when the *Romans* were flying before the enemy, *Romulus* made a vow to *Jupiter* in order to obtain his favour for the speedy rallying of his troops, and that, as fortune would have it, they stopped at the sight of their General, upon his return to the field of battle. Out of a belief therefore, that this was a particular blessing of Heaven, he erected a temple to *Jupiter*, whom he called *Stator*, because the *Romans* recovering from their fright made a stand, and faced the enemy. *Livy* and *Plutarch* say, that in this very moment the *Sabine* women coming out of the city with their hair dishevelled, and their children in their arms, threw themselves between the two armies, and by their tears and intreaties put a check to the fury of their fathers and husbands. But *Dionysius* gives a different and more probable account of the part which those women had in the reconciling of the two nations.

B. 1. c. 13.

Plut. p. 29.

D. Hal. B.

2. p. 109.

P. 110.

§. XIV. NEITHER *Romulus* nor *Tatius* was very forward to hazard another engagement. The *Sabines*, who remained masters of the Citadel, debated whether they should content themselves with only ravaging the lands of the *Romans*, and then return home; or should send for new levies from *Sabinia* to continue the war, till it could be finished with more advantage. The *Romans*, on their side, were no less doubtful and undetermined what to do. Their enemies they knew to be a powerful nation, that could more easily repair its loss than they could theirs. But on the other hand, could the *Romans* with honour restore the women? Would not that be a confession of weakness which might render the *Sabines* more haughty and more difficult to treat with? Whilst both parties were thus deliberating and in suspense, the women for whose sake the war had been undertaken, met together without the knowledge of their husbands, and, at the persuasions of *Herfília*, formed a design of mediating between the two nations. Before they could put their project in execution it was necessary to get it approved by the King and Senate; this, in the present conjuncture of affairs they found no difficulty to effect. A decree was passed, permitting the women to go upon the negotiation they proposed, on condition however that they left their children behind them; yet those who had several were allowed to take one or more with them, as it might be a means to promote the success of their enterprise.

The women being thus authorized, laid aside their ornaments, put on mourning, took some of their children in their arms, and leaving the city, advanced towards the camp of the *Sabines*. They no sooner arrived there, but casting themselves at the feet of their relations and countrymen, they by their tears and lamentations excited a general compassion. King *Tatius* having assembled his chief officers in council, and ordered the women to declare the intention of their coming, *Herfília*, in the name of her companions, is said to have made a long and pathetic speech to this effect:

“ If

Year of
R O M E
L

R O M U -
L U S First
King.

" If it be love to us which has moved you to begin the war, the same love should now induce you to put an end to it. It is true, we were unjustly forced away from our parents by the men who are now our husbands; but you neglected so long to revenge the injury, that we became engaged, by the strictest ties of affection, to those whom at first we hated: we are full of anxiety for them when they are fighting, and we lament their deaths when they fall in battle. You do not now come to vindicate the honour of virgins, but to tear away wives from their husbands, and mothers from their children; this is not to rescue us, it is to make us a second time captives."

When she had thus spoken, she begg'd a truce, that the chiefs of the two armies might have an opportunity to treat of an accommodation. As the *Sabines* wanted only a pretence to lay aside their resentments, they readily accepted the proposal, and soon after the two Kings had a conference, which ended to the satisfaction of both parties. A treaty of union was made and confirmed by oath. It was agreed, that both the Kings should reside in *Rome*, and be equal in power; that as many of the *Sabines* as were willing might come hither and be incorporated in the *Tribes* and *Curia*; that their common city should continue to be called *Rome*, but that the *Romans* should take the name of *Quirites*, till then peculiar to the *Sabines*; and that the latter should be admitted to public offices both civil and religious. Three considerable *Sabine* families are particularly mentioned to have followed the example of their King, and settled at *Rome*. The head of one of them was *Valerius Volesus* (to whom *Plutarch* gives the honour of negotiating the peace;) of another, *Talus Tyrannus*; and of the third, that *Metius Curtius* who had signalized himself so much in the last battle: and these brought with them a multitude of their relations and dependants.

§. XV. BY THIS TREATY, which so considerably increased the colony, *Rome* became formidable. *Dion. Hal.* tells us, that the number of the new inhabitants equalled that of the old. *Tatius*, that he might imitate and equal *Romulus* in all respects, formed a council of a hundred Senators of his own nation. They were stiled *Fathers*, and enjoyed the same privileges with those who had been instituted by the founder of *Rome*. The *Roman* and *Sabine* Senators held their first assemblies on affairs of state separately, at the houses of their respective Kings. But after-

^r *Dion. Hal.* says, that each particular citizen was to be called *Romanus*, and the collective body of them *Quirites*; yet it appears by this ancient form of words used at funerals, *Ollus Quiris letho datus est*, that each private citizen was also called *Quiris*.

The origin of the word *Quirites*, which was at first peculiar to the *Sabines*, and became in *Romulus's* time, the general name of the inhabitants of *Rome*, has been much sought for; and the most probable account antiquity gives of them, is this. The word

Quiris, according to *Plutarch* (p. 36.) and some others, signified in the *Sabine* language, both a dart, and a warlike Deity armed with a dart. 'Tis uncertain whether the God gave name to the dart, or the dart to the God. But be that as it will, this *Quiris* or *Quirinus*, was either *Mars*, or some other God of war; and the worship of *Quiris* continued in *Rome* all *Romulus's* reign: but after his death, he was honoured with the name *Quirinus*, and took the place of the God *Quiris*. C. & R.

wards

wards they all met together, near the temple of *Vulcan*, in a place which, because the *Sabines* and *Romans* went thither to form one assembly, was called *Comitium**, Place of Meeting.

And now, according to *Livy*, were formed the three centuries of *Roman* Knights, called *Ramnenses*, *Tatienses*, and *Luceres*. The first had its name from *Romulus*; the second from the *Sabine* King; and the third from the *Lucus* or grove where the *Asylum* stood, and where the Knights of this century had formerly dwelt. These three bodies of horse were incorporated into the *Roman* legions, which, according to *Plutarch*, consisted from this time of six thousand foot and six hundred horse each.

But 30.

* *A docendo, quasi comendo*. The *Comitium* was part of the *Forum* at *Rome*; and was at the foot of the hill *Palatinus*, over against the *Capitol*. C. & R.

Originally the Knights alone formed the body of the *Roman* or legionary cavalry. They, who aspired to the honour of being admitted into this order on account of their fortunes or birth, often served in the army as volunteers; with this difference, that the state furnished the former with horses out of the publick treasury, whereas the latter were obliged to furnish themselves with horses at their own costs. This custom continued till the time of *Marius*. Then *Rome* had recourse to her allies, to supply the deficiency of the *Roman* Knights: And from that time, the provinces furnished as many horse, as were wanted to recruit the legions. Indeed the Equestrian Order never had any settled form, till after the *Census* appointed by *Servius Tullius*. They who had the honour of being joined to them, engaged themselves to be soldiers by profession. They fought equally on foot or on horseback, as occasion or the disposition of the ground required. They were sometimes posted in the advanced guard, sometimes in the center, but more frequently in the wings, of each legion. But in length of time this illustrious body degenerated, and the *Roman* Knighthood became a bare title of honour. Those who enjoyed it, were distinguished from the *Plebeians*, by a gold ring they wore on their fingers. In the latter times of the republick, the *Roman* Knights were no more confined to war, than any other citizens. On the contrary, they undertook to collect the publick taxes, under the name of publicans. C. & R.

Varro, *Plutarch*, and *Festus* give the same names to the three tribes established by *Romulus*, which *Livy* gives to these three centuries of Knights drawn out of the tribes.

They are easily reconciled, if we will suppose each century to bear the name of its respective tribe. *Dion. Hal.* dates the division of the colony into tribes, from the first year of *Rome*. *Plutarch* brings it down to the time of this union of the *Romans* with the *Sabines*. And what can we infer from these different accounts, but that *Romulus* instituted the tribes from the beginning of his reign, thereby to settle his form of government; and that each tribe had no particular name, till after the conclusion of his treaty with *Tatius*. What confirms this conjecture, is, that the second tribe was called *Tatienses*, or *Titierfs*, from the name of *Titus Tatius*. Some authors indeed give all the three names, *Ramnenses*, *Tatienses*, and *Luceres*, an *Hetrurian* derivation. But the generality of historians agree in calling the colony of the inhabitants of *Alba* that went to *Rome* with *Romulus*, *Ramnenses*; and so they do, in calling the second tribe, *Tatienses*. The others who fled into the *Asylum*, were called *Luceres*, if we may believe *Festus*, from *Lucerus*, King of *Ardea*, who, according to him, joined with *Romulus* against the *Sabines*. C. & R.

* The most learned critics have observed, that *Plutarch* is mistaken, when he says (p. 30.) the *Roman* legion consisted of six thousand foot and six hundred horse, after the conclusion of the treaty between *Romulus* and *Tatius*. But it is probable, that *Plutarch* meant no more, than that *Romulus* formed two legions, of the two united nations, which consisted each of three thousand foot, and three hundred horse. Αἱ λεγόμεναι ἐγένοντο πεζῶν μὲν ἑξακισχλίων, ἵππῶν δὲ ἑξακοσίων. And by the help of the same interpretation, we may explain *Dion. Hal.*'s saying, that *Romulus* incorporated into his legion, or army, three thousand of the *Ceninenfes* and *Antemnates*. Though it were true, as some authors conjecture, that each legion did consist of

Year of But the most common opinion is, that the *Roman* legion did not then
 R O M E consist of above four thousand men at the most.

R O M U - Rome could not without ingratitude forget the services that had been
 L U S First done her by the *Sabine* women, who were become entirely *Roman*, by as-
 King. section as well as marriage. Honourable privileges and marks of distincti-
 on were decreed them. Every body was to give way to them when they

Plut. p. 30. passed along; all immodest and too free discourse was forbidden in their
 presence: it was a law, that indecent objects should never be brought into
 their sight; they were exempted from the jurisdiction of the ordinary judges,
 in capital cases; and lastly, they were permitted to hang a ball² of gold
 about their children's necks, to distinguish them from the vulgar. A par-
 ticular robe was also assigned these children, called^a *Prætexta*, the use of
 which was forbidden to all others.

above three thousand three hundred men at
 this time; yet it is certain, that, ordinarily,
 it did not exceed four thousand foot; for
 which reason, *Festus* calls a legion *square*;
 though this denomination owed its origin to
 their order in battle. I say, ordinarily, be-
 cause on some occasions, the legion did con-
 sist, it we may believe *Vegetius*, of five thou-
 sand foot, and two hundred, three hundred,
 four hundred, and sometimes seven hundred
 horse. *Livy* tells us, the legions which were
 appointed to go over into *Africa* with *Scipio*,
 consisted of six thousand two hundred foot,
 and three hundred horse. And therefore *Fes-
 tus* is mistaken, when he says that *Marius* first
 made the *Roman* legion to consist of six thou-
 sand two hundred foot, and three hundred
 horse. The number of soldiers in a legion was
 different at different times. Nevertheless, it
 is probable, that from *Marius's* time, the legi-
 ons did more commonly consist of six thou-
 sand foot, and three hundred horse. C. & R.

² It is difficult to find out exactly what was
 the form of this ornament, which the *Sabine*
 women had leave to hang about their chil-
 dren's necks. It was called *Bulla*. *Plurarch*
 says, that this *Bulla* was like the little bub-
 bles which the drops of rain make, when they
 fall upon running water; and it is therefore
 probable, that these little golden balls were
 both hollow and light; and, that they were
 but half globes, with one side flat, and the
 other globular. *Macrobius* pretends, that
Tarquin the Elder extended the right of wear-
 ing these ornaments to all the children of the
Patricians, and began with his own. The
 young *Roman*, when they came to the age of
 manhood, quitted the *Bulla*, and made an
 offering of it to the *Dii Lares*, which were
 then called *Lares Bullati*. Hence *Perfusus*:

*Cum primum parvulo custos mihi purpura cessit,
 Bullaque succinctus Laribus donata pependit.*

and this ornament was also sometimes conse-
 crated to some other divinity, as appears by
 this inscription which *Grutius* gives us from
 an ancient monument:

JUNONI. PLACIDÆ.
 CONSERVATRICI. AUGUSTÆ.
 CLAUDIA. SABBATIS.
 BULLAM. D. D.

The *Romans* used also to inclose in these *Bullæ*
 certain preservatives which paganism had con-
 secrated, to secure their children against en-
 chantments: and they perhaps attributed this
 virtue to certain hieroglyphicks, or other mys-
 terious characters. Or it may be, the figures
 of the Deities and of animals were made use
 of for this purpose; as in that particular kind
 of preservatives, which the *Latines* called *A-
 muleta*, whose form was arbitrary. C. & R.

^a These robes were laced at the bottom,
 and perhaps on the two lappets, if what *Ru-
 benius* thinks be true, that they were open be-
 fore. They were called *Prætextæ*, from this
 purple edging or lace. They were worn by
 girls till their marriage, and by boys till they
 were seventeen, and took the *Toga Virilis*, or
Manly Robe. But what was in *Romulus's* time
 a mark of distinction for the children of the
Sabine women, was afterwards very common.
 All even to the children of the *Liberti*, or men
 who were made free, wore robes bordered
 with purple in their youth: and at length, the
 gravest of the magistrates wore them like
 wife, not only at *Rome*, but in the colonies,
 and *Municipia*, or free cities. C. & R.

For five years together, the two Kings lived at *Rome* in a surprising harmony. *Romulus* had his palace on the declivity of the hill *Palatinus*; *Tatius* resided on the hill *Tarpeius*; and his *Sabines* had fixed their settlements on the hill, which they called *Quirinalis*, either in memory of their city *Cures*, or in honour to their God *Quiris*. The space between the hills *Palatinus* and *Tarpeius* became a common market-place for the two united nations, and they gave it the name of *Forum*, which it retained ever after; and there they also held their assemblies for publick affairs.

D. Hal. B.
2. p. 113,
114.
Year of
R O M E
ROMU-
LUS First
King.

The union of the two nations soon produced a mixture of manners, customs, and religion. *Rome* readily adopted the *Sabine* Gods; and *Tatius* built temples to the *Sun*, the *Moon*, *Saturn*, *Rhea*, *Vesta*, *Vulcan*, *Diana*, and *Mars*, who was probably the same with the God *Quiris*. *Juno Quiritalia* was introduced to preside over the publick feasts of all the *Curie* in *Rome*: and the two nations agreed to institute some new festivals, by common consent: That called *Matronalia* was instituted in memory of the peace, which had been brought about by the mediation of the women. The *Romans*, who had hitherto used small bucklers after the manner of the *Argives*, now wore larger, like those of the *Sabines*: And the latter conformed themselves to *Romulus's* calendar. In a word, never was a more sudden or more perfect union between two nations which had been such mortal enemies.

Plut. in
Rom. p.
30.

During the time that *Romulus* had an associate on the throne, the conquest of *Camerium*, a town in the neighbourhood of *Rome*, was the only military achievement of the *Romans*: The *Camerini*, by their incursions on the *Roman* territory, gave occasion to the war. Being twice defeated, 4000 of them were transplanted to *Rome*, and a colony sent from thence to *Camerium*.

D. Hal. B.
2. p. 114.

§ XVI. BUT as it is scarce possible that concord should be perpetual in a state which is governed by two Kings, whose powers are equal, and whose interests will at length prove not to be the same, the union between *Romulus* and *Tatius*, which policy had formed, and reciprocal condescensions maintained, was broke in the sixth year of their government. The

^b This festival was celebrated on the first of *March*. *Ovid*, in his *Fasts*, gives other reasons for the institution of it; but grants that the chief of them was the remembrance of the benefits the *Romans* had received from the *Sabine* women. The *Matronalia* was to the *Roman* wives, what the *Saturnalia* was to their husbands. They now served their slaves at table, and received presents from their husbands, as the husbands did of their wives in the *Saturnalia*. The *Matronalia* was consecrated to *Mars*, and according to some, to *Juno Lucina*; and on it the women sacrificed to these two Deities. *Plutarch* (p. 30.) says the two Kings instituted likewise the *Carmenalia*, in honour of the Goddess *Carmen*. C. & R.

^c *Solinus* reports, *Chap. 3.* that before the foundation of *Rome*, the year consisted of thirteen months, and of three hundred and seventy-four days: nevertheless, it is probable, that the people of the southern parts of *Italy* followed the *Greek* calendar, which made the year first to consist of three hundred and sixty, and afterwards of three hundred and fifty-four days, which are a lunar year. Be that as it will, the *Sabines* thought fit to conform themselves to *Romulus's* calendar. The common opinion is, that he made his year to consist of only ten months, viz. *March*, *April*, *May*, *June*, *Quintilis*, *Sextilis*, *September*, *October*, *November* and *December*. *March*, *May*, *June*, *Quintilis* and *October*, had each thirty-one days, the other six months but thirty. C. & R.

Macro-
b. l. 1
c. 12.

Year of
R O M E

R O M U -
L U S First
King.

D. Hal. p.
115.

occasion of it was this. Some of *Tatius's* people having ravaged the territory of the *Lavinians* ¹, the latter sent envoys to *Rome* to demand satisfaction. *Romulus* declared himself for delivering up the aggressors to the injured party; but *Tatius* interposed. He alledged, that it was not just to deliver up *Roman* citizens into the hands of strangers, their enemies; and that the complainants ought to come and plead their cause at *Rome*. Nor was his conduct hitherto greatly to be condemned. But some of the envoys, in their return home, being murdered by the very robbers they had complained of, *Tatius* still continued to screen these assassins from punishment. However, when the *Lavinians* renewed their complaints, *Romulus*, of his own authority, surrendered up the murderers to them. *Tatius* looking upon this as an insult offered him by his colleague, put himself at the head of some armed men, pursued the *Lavinians*, and rescued his people out of their hands. So excessive a partiality to his friends, accompanied with such grievous injustice, cost him his life. For not long after, going to *Lavinium* ² with *Romulus*, to offer certain sacrifices, as the Kings were obliged to do, to those tutelary Gods of their state, who had been brought from *Troy*, and still remained at *Lavinium*, the relations and friends of the envoys who had been murdered, fell upon him and slew him at the foot of the altar with the priest's knives and the stones resulting the victims. To *Romulus* they did no violence, but conveyed him out of the town with acclamations of praise and benediction. He conveyed the body of his colleague to *Rome*, and honourably buried it on mount *Aventine*.

Romulus, being now a second time sole King of *Rome*, and revered, not only by his subjects, but by strangers, the *Latine* nation sought his friendship and alliance, and by their ambassadors concluded a treaty with him. To clear himself entirely of the violence offered to the envoys of the *Lavinians*, he pronounced sentence of banishment against the murderers, who on the death of *Tatius* had immediately fled from the city. After this he summoned the *Lavinians* who had slain his colleague, (and who had been delivered up to him) to answer for their crime; but they alledging, that they had only taken a just revenge for the murder of their ambassadors, he allowed their plea to be good, and dismissed them with impunity ³: yet the *Sabines* express'd no disposition to a revolt.

Plut. p. 32.

§. XVII. ABOUT this time a plague, which a famine made more terrible, raged in *Rome*, and the people of *Camerium* took advantage of the heavy affliction the *Romans* laboured under, to shake off the yoke. *Romulus* conquered them a second time, and on this occasion had the honours of a second triumph. He entered *Rome* with the acclamations of the people, as after the defeat of *Acron*. He had slain 6000 of the *Camerini* in the battle; and of those who had escaped, he transported one half to *Rome*,

D. Hal. p.
116.

¹ Plutarch (p. 32.) says, it was the *Laurentes*; who were injured, and who slew *Tatius* at *Lavinium*.

² According to *Licinius* apud D. Hal. *Ta-*

tius did not go to *Lavinium* with *Romulus*, nor to offer sacrifices, but went by himself to exhort the *Lavinians* to pardon the criminals.

³ Plutarch (p. 32.) says they were punished tending

sending from thence to *Camerium* twice as many *Roman* Citizens; so prodigiously, says *Plutarch*, was the number of his people increased in 16 years from the building of the city.

P. 33.
Year of
R O M E
XVI.

After this he vanquished the *Fidenates*, took their city, (which stood about 40 furlongs from *Rome*) and sent thither a colony of 2500 *Romans*. But now the *Veientes*^a, grown jealous of their prosperous neighbour, demanded *Fidena* back, as a city in their dependance; and having received a contemptuous refusal, they laid siege to it. A second body of troops they marched against *Romulus*, who had an army in the field. He defeated them in two battles with great slaughter, and took a vast number of them prisoners, together with their commander, who had acted a very weak part. And what was now done at the sale of these slaves, laid the foundation of a custom which prevailed ever after. When the people offered sacrifices to the Gods, in thanksgiving for any victory, they dressed up an old man in a purple robe, with a child's *bullæ* about his neck, and cried all around him, *Sardians to sell*. By which cries and ceremony, they originally alluded to these two things: That the old governor of the *Veientes* had ruled his state like a child: And that the *Veientes*, an *Etrurian* people, were a colony of *Lydians*, whose capital city was *Sardis*.

R O M U -
L U S First
King.
Plutarch,
p. 32, 33.
D. H. p.
116, 117.

Romulus, being intent upon making the best advantage of his victory, passed the *Tiber*, and pursued the *Veientes* to the gates of their city; whose situation preserved it. *Veii* was built upon a steep rock, and *Romulus* had then neither the troops, nor the provisions necessary to besiege it. He therefore retired; yet with a full purpose of returning in a little time, and reducing to ashes a city, which had no motive to conspire against *Rome*, except jealousy or ambition. But two defeats had taught the *Veientes* wisdom; and they prevented their total ruin by their submission. They sent a deputation to *Rome* to sue for peace; and *Romulus* granted them a truce for 100 years, upon their surrendering seven small towns on the *Tiber*, with some salt-pits at the mouth of that river, and their sending 50 of their principal citizens to *Rome*, as securities for their fidelity. A war so advantageously ended obtained him a third triumph.

p. 118.
Liv. B. 1.
c. 19.

This was the last military exploit of *Romulus*. It is surprising, and not easy to be accounted for, that this Prince, who seemed so eagerly bent upon extending his domination over his neighbours, should, after the death of his grandfather *Numitor*, leave *Alba* in possession of her laws and li-

Plut. p.
34.

^a *Plutarch* and *Dionysius* speak of *Fidena* as taken before *Camerium*.

^b *Veii*, the city of the *Veientes*, stood about 100 furlongs from *Rome*. *D. Hal.* compares it to *Athens* for extent and riches.

^c This account is taken from *Plutarch*. But *Sextus Capito* gives the custom a later date. He says, that when *Tiberius Sempronius*

Gracchus the Consul had conquered *Sardinia*, he brought so great a number of slaves from thence, that for a great while together, nothing was to be seen in the markets but *Sardinians*, or *Sardis*, to be sold. Which gave rise to the proverb, *Sardis venales, alius alio nequior*. That is, *Sardinians to sell, every one wiser than his fellow*. C. & R.

Year of
R O M ER O M U-
L U S First
King.

Plutarch,

p. 34.

D. Hal.

p. 113,

119.

erty. The sovereignty of that state devolved upon him, and he might have subjected it to the *Roman* laws; yet he reserved to himself no other power over it, than that of naming annually a magistrate, with the title of Dictator, to govern it, in form of a republick.

§. XVIII. SO great an instance of moderaion in the first King of *Rome* is the more extraordinary, as the historians all agree, that being elated with his continual prosperity, he now affected an absolute tyranny. He paid no longer any deference to his great council; the Senators were assembled merely for form sake, he made himself the sole arbiter in all affairs. Having erected a judgment-seat in the *Forum*, he there administered justice, or rather exercised cruelty, attended by his 300^k *Celeres*, and his 12 *Littors*, the ministers of his despotic will. But that which more than all things else provoked the *Fathers* was, that, of his own authority, and without consulting them, he shared the conquered lands among the soldiers, as he pleased; and, even against their opinion, restored the *Veientes* their hostages. The Senators not able to endure that the government should be thus changed into an absolute monarchy, conspired his destruction; and it was not long before they effected it.

Year of
R O M E
XXXVII.

Plutarch,

Rom. p.

34. and

Num. p.

60. Livy,

B. i. c. 16.

On the seventh of *July*, in the thirty-seventh year of *Rome*, *Romulus* (now sixty years old, or, as some say, only 55) appointed a review of his troops in a plain, without the city; and the Senate for the greater state attended him thither. Whilst the King was haranguing his army, near a pond, called *Goats-pond*, a sudden storm of hail and thunder came upon them. The storm dispersed^l the soldiers; and the Senators remaining alone with the King, thought this a favourable opportunity of executing their design. The King was^m slain, and his body conveyed out of sight in an instant. Some pretend, that, the better to conceal the fact, the Senators cut him into pieces, and that every Senator carried away one under his robe. Be that as it will, the circumstance of the storm gave occasion to the fable which the assassins spread among the people, that the King was all on a sudden surrounded with flame, and snatched up in it from earth to heaven. The credulous were contented with a story which made the founder of their colony a God; but the more penetrating

^k The three hundred horse which *Romulus* had for his guard, were the first *Corps* of the *Roman* soldiery. They were chosen by the thirty *Curiae*, each furnishing ten men^l; and *Romulus* divided them into three companies, under the command of a general officer called *Tribunus Celerum*. The particular captain of each company was stiled *Præfectus Celerum*. The *Tribunus Celerum* had great authority in *Rome*, and may be said to have been the second person in the state next the King. He had a right of assembling the people on pressing occasions. *Q. & R.*

^l This adventure, according to *Plutarch*,

(p. 36.) gave rise to the *Caprotine Nones*, or *Populi fugium*, a festival in the *Roman* calendar on the *Nones* of *July*. But other authors give another origin to this festival.

^m The historians are not agreed about the manner in which *Romulus* was assassinated. Some say it was done by the people, who were enraged at the King for shewing more favour to those who were newly come to *Rome* from the conquered cities, than to the old inhabitants: whilst others pretend, that Senators stabbed him in full Senate, and having cut his body in pieces, every one took a part of it, and carried it away under his robe.

Year of
R O M E
XXXVII.

R O M U -
L U S First
King.

Plut. p.

35.

conceived just suspicions against the murderers; insomuch that the Senate became odious to all the better sort in *Rome*. This made it necessary to find out some secret to stop the complaints, and appease the anger of the multitude: And *Julius Proculus*, a considerable man among the *Fathers*, was the person whom the Senate suborned to impose upon the people. He was esteemed a man of probity, and his word had the more credit, as he had always been thought a friend to *Romulus*, having come from *Alba* with him, and preferred the doubtful fortune of his unsettled colony to the certain advantages he possessed in his own country. When the *Curia* were assembled, he told them the following story, and swore to the truth of it. That as he was travelling along, *Romulus* suddenly appeared to him: his stature was taller than that of mortals, and his armour cast a dazzling brightness: The apparition filled him with a religious dread, and he addressed himself to it in these words: *Wherefore, O King, and for what crime of ours have you thus exposed us to the most unjust and grievous suspicions? Why have you so suddenly forsaken a city, which by your absence is universally plunged in the deepest sorrow? To which* *Romulus* answered: *It pleased the Gods, O Proculus! that I should continue among mortals till I had put Rome into a condition of rising to the highest pitch of power and glory, and that I should then return to Heaven from whence I originally came. Go therefore and admonish my Romans to love temperance and warlike exercises; for it is by these that they will one day become masters of the world.*

This fable, averred for truth by a man who was thought sincere and honest, removed all suspicions; the people were transported with joy; divine honours^a were decreed to the new Deity; and the Senate concurred to make a God of him whom they could not endure for a King.

Such was the end of *Romulus*; the founder of *Rome*: A Prince, as we have seen, of uncertain birth, brought up by shepherds, and whose first empire was over a promiscuous, undisciplined rabble: Who, when he had built a city, peopled it chiefly with robbers, out-laws, runaway slaves, and fellows of desperate fortunes, from all quarters, men, who though restrained by laws from injuring one another, yet subsisted by rapine, and got every thing by violence, not even their wives excepted: A Prince, who by his policy and courage, in a reign of 37 years, brought a colony from such beginnings to be formidable to all the states around it, having before his death increased his subjects from 3300 men to 47000, all stout soldiers, and all actuated by the same views of preserving their own liberty, and invading that of their neighbours: To conclude; a Prince, who of a gang of slaves and profligates formed a people which in time became masters of the world, and, what is worthy to be remarked, more illustrious by their virtue, than by the number of their victories, or the extent of their empire.

^a A festival was instituted to *Romulus*, called *Quirinalia*. It was celebrated on the 17th of February.

Year of
R O M E
XXXVII.

R O M U -
L U S First
King.

In the relation here given of the first settlement of the *Roman* government, the acts and institutions of *Romulus*, &c. *D. Hal.* has been chiefly, though not entirely followed, with respect to the order in which these events are placed. As the accounts left us by that author, *Livy* and *Plutarch*, of the beginnings of the *Roman* Race, do not perfectly agree, either as to matter, or time, it may perhaps be a satisfaction to the reader to let him see by a summary of each, in what particulars they differ.

D I O N I S I U S,

after the building of *Rome*, and a formal election of *Romulus* to be King of it, mentions

1. The division of the colony into *Tribes*, *Curia* and *Decuria*.
2. The distinction of the people into *Patricians* and *Plbeians*.
3. The institution of the *Patronage*.
4. The constituting a *Senate*. Of 100 Senators, the King chuses but one, the *Tribes* and *Curia* the rest.
5. The appointment of the 300 *Celeres* for the King's life-guard.
6. The settling of the respective powers and privileges of the King, Senate, and assemblies of the People.
7. The opening of the *Astylum*, or sanctuary of refuge.
8. *Romulus*'s religious and civil laws.
9. The erecting a judgment-seat in the *Forum*, where the King administer'd justice, attended by his 300 *Celeres* and 12 *Luciars*, with their falces and axes.
10. The rape of the *Sabine* women, the union of the *Sabines* and *Romans*, and the creation of 100 new Senators by *Tatius*.

N. B. D. Hal. makes no mention of the 3 centuries of Knights, elected, according to *Livy*, in the time of *Romulus* and *Tatius*, nor of any other horsemen, but the 300 *Celeres*, till the reign of *Tarquinius the Elder*, when he says, this King would have created 3 new tribes of Horsemen, and was opposed by *Navius* the Augur. He afterwards tells us, that *Servius Tullius* composed the Equites or Knights of those citizens who were most eminent by birth and riches, and divided them into 18 centuries.

L I V Y

speaks of *Romulus* and *Remus*, as being both saluted Kings, by their respective followers, before the building of *Rome*. After the build-

ing of the city and the death of *Remus*, he relates,

1. *Romulus*'s making religious and civil laws.
2. His putting on a habit of distinction, and being attended by 12 *Licors*.
3. His opening an *Astylum*.
4. His constituting a Senate of 100 men, who were stiled *Patres*, and their posterity *Patricians*.
5. The rape of the *Sabine* women, and the union of the two nations; after which,
6. The division of the citizens into 30 *Curia*.
7. The institution of three centuries of Knights, the *Tatinenses*, *Ramenenses*, and *Luceres*.
8. *Livy* does not mention the *Celeres* till the close of *Romulus*'s reign.

N. B. Livy says nothing of *TRIBES*, till he comes to the 4 tribes of *Servius Tullius*; nor ever mentions the 100 new Senators created by *Tatius*.

He says, B. 1. c. 36. that *Tarquinius the Elder*, without increasing the number of *Romulus*'s Centuries of Knights, increased the number of the Knights to 1800, which were still called three Centuries: And B. 1. c. 43. he tells us, that *Servius Tullius* made six Centuries of the three instituted by *Romulus*, but that they retained the old names; and that these six with 12 other Centuries of Horse men made a part of the first and richest of *Servius*'s classes.

P L U T A R C H

does not speak of any formal election of *Romulus* to be King, but he being supposed such,

1. Opens the *Astylum*, soon after the first foundations of the city were laid, and thereby greatly augments his colony.
2. Lists all who were fit to bear arms into military companies, each company consisting of 3000 foot, and 300 horse. These companies were called *Legions*, from the word *Legere*, to chuse, because they were select and chosen men. The rest of the multitude were called *Populus* (People.)
3. Chuses 100 Senators, whom he stiles *Patricians* and *Patres*.
4. Distinguishes the rest of the wealthier sort from the common people, by making the former Patrons to the latter, who are called Clients.
5. Then follows the rape of the *Sabine* women, and the union of the two nations. After which,

6. The

6. The people are divided into 3 Tribes, called *Ramneses*, *Tatienfes*, and *Luceres*, (the names *Livy* gives to his 3 Centuries of Knights.)

7. Then the religious and civil laws are mentioned; and

8. *Plutarch* speaks for the first time of *Romulus's* robes of state, his *Celeres* and *Lictors*, just before his death, and as proofs of that haughtiness of spirit which provoked the Senators to murder him.

Year of
R O M E
XXXVII.

C H A P. III.

N U M A.

§. I. *The death of Romulus is followed by an interregnum. A description of that sort of government. The people grow weary of it; whereupon it is unanimously resolved to chuse a King.* §. II. *The character of Numa Pompilius, a Sabine philosopher.* §. III. *He is elected to succeed Romulus; but is with difficulty persuaded to accept of the kingdom. He consults the will of the Gods by augury.* §. IV. *Numa is no sooner upon the throne, than he applies himself to quiet the dissensions at Rome, and to moderate the warlike ardor of the Romans by the impressions of religion.* §. V. *He divides the ministers of religion into eight classes. The Curiones, Flamines, Celeres, Augurs.* §. VI. *Vestals.* §. VII. *Salii.* §. VIII. *Feciales.* §. IX. *Pontifices.* §. X. *He directs an especial reverence to be paid to the God Janus; and makes a Goddess of Bona Fides.* §. XI. *He introduces a new sort of Gods, called Termini or Boundaries.* §. XII. *He amends some of Romulus's laws; and makes new ones.* §. XIII. *He sends away the idle soldiery to cultivate the lands conquered by Romulus.* §. XIV. *He distributes the citizens into distinct companies, according to their trades.* §. XV. *He reforms the calendar.* §. XVI. *Numa dies, and his books are buried with him.*

§. I. **R**OMULUS dying without issue, the kingdom, which, had he left a son, might perhaps have proved hereditary, as that of *Alba* had been, continued elective; and *Rome* was greatly divided about the choice of another King. The minds of the first *Romans*, and of the new inhabitants, were not at present in so perfect an union as formerly; there were diversities of factions among the commonalty, and jealousies and emulations among the Senators. All agreed, that it was necessary to have a King; but what person, or of what nation, was the dispute. Those who had been builders of the city with *Romulus*, though they had yielded a share of the lands and dwellings to the *Sabines*, thought it by no means adviseable to resign to them the regal authority. On the other hand, the *Sabines* alledged, that they, after the decease of *Tatius*, having peaceably submitted to *Romulus's* government, it was but just, that the King should be chosen out of their nation: nor did they esteem themselves inferior to the *Romans*, or to have contributed less to raise *Rome* to that pitch of wealth and power to which she was arrived.

Year of
R O M E
XXXVII.

Plut. Numa, p. 60.

Year of
R O M E
XXXVIII.

Livy, B. 1.
Plut. p.
61.

During these disputes, the Senators^a, to prevent anarchy and confusion, took the sovereign power into their own hands. They divided themselves into decuries or tens, and each ten in their turn (as lots decided) possessed the supreme authority five days^b, yet so as one person only of the governing ten had the badges of sovereignty at one time, and when he had been honoured with them twelve hours, he resigned them to another. This sort of government, which was called *Interregnum*, lasted little more than a year^c; for the people grew weary of such a frequent change of masters, who had not all the same views and inclinations; and they were likewise jealous of certain of the *Fathers*, who seemed to aim at the establishing themselves in the supreme power. The Senate therefore finding it necessary to proceed to the election of a King, the *Inter-rex* for the time being, summoned the people, and addressed himself to them, in these words: *Good, fortunate and happy may it be! Elect yourselves a King, O Romans. The Senate give their consent, and, if you pitch upon a Prince worthy to succeed Romulus, will confirm your choice*^d.

Livy, *ibid*. The Senate having thus recognized the people's right to chuse a King, the people, in compliment, remitted the choice to the Senate. But the old difficulty still remained, whether the Sovereign to be elected should be a *Sabine*, or a *Roman*. At length they came to this conclusion: That the *Romans* should chuse the King, but should be obliged to chuse a *Sabine*.

Plut. p. 61. §. II. THERE was at this time in *Sabinia* a man of distinguished birth and virtue, who led a retired life, and had no thoughts of empire, but over his own passions. His name was *Numa Pompilius*. He was the fourth son of *Pompilius Pompo*, a *Sabine* Noble, and had married the

^a *Plutarch* reduces the number of the Senators who divided the regal power between them to 150, and *Livy* to 100, but *Dion. Hal.* makes them 200; which seems to come nearer the truth, if it be certain, that *Titus Tatius* added 100 Senators to the 100 created by *Romulus*.

^b *D. Hal.* (B. 2. p. 119.) makes each man of each *Decury* to reign 5 days, and consequently each *Decury* 50, in which case, only seven *Decuries* could have the administration in the whole year of the *Interregnum*.

^c *Father Catrou* (B. 2. p. 133.) has followed *Plutarch*, in fixing *Romulus's* death to the 37th year of *Rome*, and (p. 144.) he has followed the same author, in fixing *Numa's* birth to the very day that *Rome* was founded, and in making him about 40 when he was offered the kingdom: (by the words *about 40*, he means, that he was in his 40th year, as appears by the date in the margin; and so *Plutarch*, "Ετος ἤδη διατελούντι τῷ Νυμῷ πινυμένῳ.") Nevertheless, as the learned *Father* allows with *Dionysius*, but about a year

to the *Interregnum*; these things are incompatible. *Father Rouillé* therefore in his note (B. 2. p. 144.) agrees with *Petavius*, in saying that *Romulus* reigned above 38 years. They follow *Varro's* calculation in placing the foundation of *Rome* in *April* in the 5d year of the sixth olympiad, and the death of *Romulus* in *July* in the 1st year of the 16th olympiad. The difference between these two dates is 38 years and some months. *Numa* was therefore in his 39th year, when his predecessor died, and the *Interregnum* lasting about a year, he was in his 40th year when he was chose King.

If the reader has perused the Preliminary Discourse to this Work, he is probably inclined to think, that *Romulus* reigned neither 38 nor 37 years, nor even 20, and consequently that *Numa* must have been born long before the building of *Rome*.

^d *Quod bonum, faustum, felixque sit, Quirites, Regem create, ita Patribus visum est. Patres deinde, si dignum qui secundus ab Romulo numeretur creaveritis, duces fient.* Liv. B. 1. c. 17.

daughter.

daughter of King *Tatius*, but had not followed his father-in-law to *Rome*. *Tatius* having the same inclinations with her husband, had preferred the tranquillity of a private life to the embarrassing honours and distinctions of a Court. She lived with him thirteen years, at *Cures*; and after her death, he gave himself up entirely to the service of the Gods, and the contemplation of their nature and power. He left the city, and in a solitary manner frequented those groves and fountains which religion had made sacred. And hence doubtless came the fable, which was very early received among the *Sabines*, that *Numa* lived in familiarity with the Nymph *Egeria* *. It is certain that when he was upon the throne he took advantage of this general persuasion to give credit to his laws, and bring about a reformation at *Rome*.

§. III. THE *Romans* having pitched upon this man to be King, two Plut. p. 62. Senators, *Julius Proculus* and *Valerius Volesus*, the first of *Alban*, the other of *Sabine* extraction, were deputed to go to him with an offer of the kingdom: They addressed him in few words, imagining there needed no long arguments to persuade him to accept it: But, upon trial, they found themselves obliged to use many reasons and intreaties to allure him from his quiet and retired life. In presence of his father and of his kinsman *Martius*, he returned the deputies an answer to this effect: " Since in every alteration of a man's life the success is doubtful, it p. 63. would be madness for one who is easy, and provided with all things necessary and convenient, to endeavour after any change of his condition, or even to consent to it. For what is this but to prefer an uncertain satisfaction to an assured tranquillity? It is not difficult to form a judgment concerning the temper of the *Roman* people, by what happened to the late King, who did not escape the suspicion of having plotted against the life of his Colleague, *Tatius*; nor is the Senate free from the accusation of having treacherously murdered their Prince *Romulus*. And yet *Romulus* had the advantage to be thought of divine race, and to be preserved in a miraculous manner in his infancy: Whereas my descent is merely human, and, if I have gained any reputation, it is for such qualities as are in no wise proper to make me shine upon a throne; a love of peace, retirement, study, and divine worship. As *Rome* is envied by her neighbours, and threatened with foreign wars (for which *Romulus*

* Some persons not favourable to *Numa's* reputation, have thought that under his affected passion for woods and caves, was concealed another which was more real and less chaste. Hence *Juvenal* speaking of the grove called *Lucus Egeriæ*, says,

Hic ubi nocturnæ Numa constituebat amica.

Sat. 3.

But *St. Austin*, building upon a passage taken out of *Varro's* book of antiquities, gives an

allegorical interpretation to these frequent meetings between *Numa* and *Egeria*. He says, that this King being versed in hydro-mancy, saw several *Dæmons* in the water whom he consulted, and from whom he received the laws he proposed to his people; and that because *Numa* drew water for his magical Operations, *ec quod aquam egresserit*; this gave occasion to the fiction, that he had married the Nymph *Egeria*, who took her name from the *Latin* word *Egerere*. C. & R.

Year of
ROME
XL.

“ perhaps gave no provocation) she has need of an active and warlike Prince to govern her. What benefit could you receive in these circumstances from a King who would be wholly employed in establishing peace, justice, and the neglected worship of the Gods; such a Prince must needs appear despicable to a people entirely actuated by views of ambition, and the insatiate desire of conquest.”

Plut. in
Num. p.
63.

The deputies perceiving by these words, that he refused the kingdom, became now more urgent with him, intréating him not to suffer them to relapse again into their former seditions and civil discord, which they must unavoidably do, if he continued to reject their offer, there being no other person on whom both parties could agree to fix their choice. His father, likewise, and *Martius*, taking him aside, endeavour'd to persuade him to accept the kingdom, as conferred on him rather by Heaven than by men. “ Though you are contented, *said they*, with your own fortune, and court neither riches nor power, ought you therefore to pay no regard to the appointment of the Gods, who have chosen you to fill a throne? Have they indued your heart with so great a love of equity, only to lie useless in a desert? The throne is an eminent place, from whence virtue shews itself to advantage, and exercises a power which subdues and captivates the hearts of men. *Tatius*, though a foreigner, was highly esteemed by the *Romans*; and the memory of *Romulus* was so precious to them, that after his death they voted him divine honours. And who knows but *Rome*, influenced by the royal example, may moderate her pride and fury, and the love of arms be succeeded by a respect for religion?”

D. Hal. B.
2. p. 121
& 122.

This discourse made some impression upon the philosopher, and when his own countrymen, the people of *Cures*, understood what message the *Roman* ambassadors had brought him, they earnestly pressed him to accept the offer, as the only means to appease all civil dissensions, and effectually incorporate both nations into one body. *Numa* yielded at length to these reasons and persuasions, and, having first offered sacrifices to Heaven, set out for *Rome*. He was met in the way by the Senate and people, who with an impatient desire came forth to receive him; and the women also welcomed him with acclamations of joy. The *Inter-rex* for the day, *Spurius Vettius*, for form sake, which he thought should not be neglected, called an *Assembly of the people*^a, that they might proceed to an Election. *Numa* was there chosen King, and his choice was unanimously confirmed by the Senate.

But when the royal robes were brought to the new Sovereign, he refused to be cloathed with them, till (like *Romulus*) he had first consulted the will

^a By an *Assembly of the people* is to be understood a convention not only of the *Plebeians*, but of the Senators, Patricians, Knights, and all the *Roman* citizens without exception, who had right of suffrage, of what rank or condition soever. Nevertheless, what was done in these Assemblies, was properly said

to be the act of the *Plebes*, or *Commons*, because they being here more numerous than all the rest, had in reality the decision of all affairs: Their decrees however in these early times were of no effect, unless they were afterwards approved by the Senate.

of the Gods by augury. Conducted therefore to the top of the hill *Tarpeius*, he was there seated upon a stone, with his face to the south, and his head covered with a veil. The chief of the augurs stood behind him, and, stretching his right hand over the King's head, turned himself to the east and pray'd for him. Then gazing around to discover a favourable omen, he saw some birds, which were presumed to be fortunate; and this was sufficient. The King came down from the hill, the people renewed their shouts and acclamations; and, what seldom happens to a state that receives a new master, the joy was universal and sincere.

§. IV. THE reader is not here to expect the history of a reign memorable for battles and conquests. *Numa's* particular glory was his quieting all contentions at home, reformatting the manners of the *Romans*, and establishing good polity among them.

At the time of his accession to the throne, there were some disputes and heart-burnings between the Senators of *Romulus's* election and those which *Tatius* had added to them; the former claiming certain honours and pre-eminences, which destroyed that perfect equality for which the latter contended. Many of the new-comers among the *Plebeians* were also greatly dissatisfied. *Romulus* had left them utterly unprovided for; and the want of a necessary subsistence made them ready to join in any sedition by which they might hope to better their fortune. *Numa* had no sooner taken into his hands the reins of government, than he silenced the complaints of these poor *Plebeians*, by distributing some of the conquered lands among them: nor was he less successful in his endeavours to quiet the animosities among the *Patricians*: And when the citizens of *Rome* were all brought to a perfect concord and harmony among themselves, so as to have no view but the public good, and when he had enlarged the city, by inclosing within its walls the hill *Quirinalis*, he applied himself to form such regulations as might preserve peace, and make justice flourish among his subjects.

He began his reformatations with himself, dismissing the three hundred *Celeres*, whom *Romulus* had made his guards; for he laid, it would ill become him to reign over a people he distrusted, and as ill to distrust a people that compell'd him to reign over them. And being sensible, that the chief source of the disorders in the state had been the too passionate love of arms, he laid a scheme for moderating the warlike ardor of the *Romans*, by the impressions of religion.

Plutarch tells us, that *Numa* acknowledged a first principle of all things, who is impassible, invisible, incorruptible, and purely intelligible; and for this reason forbade the *Romans* to represent God in the form of man or beast; and he adds, that there was no painted or graven image in their temples and sanctuaries, for the first 160 years. *Numa* likewise prohibited all bloody sacrifices; and appointed loaves and meal to be presented to the Gods, with Libations of wine and milk. And because *Pythagoras*, the *Samian*, brought the like ceremonies from *Greece*, *Numa* has been thought by some to have learned them from him; but *Livy*, *Dion. Hal.* and *Plu-*

Year of
R O M E
XL.

Plut. p. 64.

Year of
R O M E
From
XLI. to
LXXXII.

N U M A
Second
King.
D. Hal. B.
2. p. 173.

Plut. p. 64.

Year of
ROME
XLI—
LXXXII.

NUMA
Second
King.
D. Hal. B.
2. p. 124
& 125. See
p. 29.

tarch are all against this opinion, and assert, that *Pythagoras* did not live till long after *Numa's* time.

But notwithstanding the right notions which this Prince had of the Deity, he did not introduce the worship of him; he authorized both the *Alban* and *Sabine* ceremonies of religion, and contented himself with establishing order and decency in the performance of them.

§. V. THE ministers of religion he divided into eight classes.

FIRST, the *CURIONES*, those Priests of whom each *Curia* or Parish had one, proper to itself. Their whole number was 30, there being just so many *Curie* in *Rome*.

THE SECOND CLASS were the *FLAMINES*^a, who took their names, as some say, from the flame-coloured tufts upon their caps: But *Plutarch* tells us, that these Priests were first called *Pilamines*, from the *Latin* word *Pileus*, which signified such a Picked bonnet as they wore, and that *Flamines* was only a corruption of *Pilamines*. In *Romulus's* time there was a *Flamen* called *Dialis*^b, because he presided in the worship of *Jupiter*; and another

^a The *Flamines* were chosen by the people: after which, they received an inauguration, or rather a sort of consecration, at the hands of the *Pontifex Maximus*, to whom they were absolutely subject. Their ministry was confined to one particular God, whose name they took. All other priestly officers were incompatible with that of *Flamen*; a dignity from which they could not, but for very great reasons, be deposed. In this case they were degraded, which the *Romans* called *Flaminio abire*. It was a crime for the *Flamines* to appear in public uncovered, or to offer sacrifice bare-headed. *Val. Maximus* speaks of one *Sulpitius*, who was deprived of the office of *Flamen*, for having let his bonnet fall off whilst he was sacrificing. The body of the *Flamines* did not form a society or particular college, as the *Augurs* and *Pontifices* did: but they were summoned, and took their seats as judges, whenever an affair was to be determined, the cognizance of which belonged to the College of the *Pontifices*. *Tully pro amico suo*, addresses himself to his judges thus: *Discite orationem Pontifices & vos Flamines*. In civil life, the *Flamines* were tied up to several trifling practices, which the extravagance of paganism had made sacred. Their wives, who were called *Flaminice*, partook of the Priesthood of their husbands, and shared with them the care of the sacrifices: as we learn from *A. Cellius*, and some of *Gruter's ancient inscriptions*: and a *Flaminica* could not be divorced on any account whatsoever. Death alone could sepa-

rate a *Flamen* from his wife; and upon her death he lost his sacerdotal dignity. They had under their care some young girls and boys, to assist in the sacrifices. These sorts of *Acolytes*, whose fathers and mothers must be living, were called *Flamini* and *Flaminice*. The number of the *Flamines* was at first but three; afterwards they increased to twelve, and to fifteen. C. & R.

^b The *Flamen Dialis* was the most distinguished of any, both by the pre-eminence of his rank, and the God he served. The engagements he entered into, as Priest of *Jupiter*, were inconsistent with his bearing civil offices, which he could neither solicit, nor accept. But to make him amends, he had the privilege of being guarded by a *Lictor*, and wearing a magnificent robe: to which were added the honours of the *Curule Chair*. He was generally of a *Patrician* family, as also the *Flamen Martialis*, and the *Flamen Quirinalis*; and therefore these were called *Flamines Majores*, to distinguish them from the *Flamines Minores*, who were *Plebeians*. The *Flamen Dialis* was subject to very troublesome laws, the particulars of which we have in *A. Gellius*. Among other things, he was forbidden to ride on horseback, or cast his eyes upon an army drawn up in battalia. It was unlawful for him to swear, and therefore his taking the oaths appointed by the laws, was dispensed with. His word alone was a sufficient testimony, according to that form of words used by the *Prætor*, which had the force of a perpetual edict, *Sacerdotem Vestalem, & Flaminem*

another called *Martialis*^a, because consecrated to the worship of *Mars*. To these *Numa* added a third, in honour of *Romulus*, who had been deified under the name of *Quirinus*. Year of
R O M E
XLI—
LXXXII.

THE THIRD CLASS consisted of those three hundred *CELERES* who had been *Romulus's* guards. *Numa* changed this military body into a company of Sacrificers. N U M A
Second
King.

THE ^b *AUGURS* composed the FOURTH CLASS; their functions extended farther than the name seems to imply. They did not only foretell future events by the flying or singing of birds; all sorts of divination were within their province. They interpreted dreams; drew presages from several *Phænomena* both in the Heavens, and on the Earth, such as monsters, earthquakes, &c. and their ministry was equally made use of by the public, and by private persons.

§. VI. THE *Vestals* made the FIFTH CLASS: Though *Numa* was not the first institutor of these, yet he was the first who erected a particular temple to *Vesta*, and caused a ^d fire to be kept always burning in it. This fire the *Romans* looked upon as sacred in itself, and the extinction of it fatal to the Republic. The King committed the care of supplying P. II p.
125, 126,
127.

Flaminiem Dialem, in omni mea jurisdictione jurare non cogam. He could not attend funeral solemnities, but with the utmost precautions. To be absent but one night from *Rome*, to touch a dead body, and a thousand other actions, which were in themselves indifferent, were thought to be so many considerable faults in the *Flamen Dialis*. But in order to lighten this heavy yoke, great marks of distinction were annexed to his office. He wore a hollow or pierced ring on his finger; he had the privilege of wearing the *Prætexta*, and sitting in a *Curule Chair* in the Senate; and only a freeman could cut his hair. In some cases, the respect shewn him was carried to extravagant superstition. Witness this law: *Unguim Dialis, & capille Segmina subter Arborem felicem, terra integunt.* C. & R.

^a The *Flamen Martialis* was the second in rank among the *Flamines*. It was not lawful for him to go out of *Italy*, at least in the first ages of *Rome*. We learn from *Livy* and *Val. Maximus*, that *Aulus Posthumus*, Consul and *Flamen Martialis*, could not get leave of *Cæcilius Metellus*, the *Pontifex Maximus*, to command the *Roman* army in *Africa*. The *Flamen Quirinalis* was also subject to the same law. *Liv. B. 37.* gives us an instance of it in the person of *Q. Fabius Pictor*. C. & R.

^b See what is said of the *Augurs*, page 24. *Numa* allowing of no bloody sacrifices instituted no *Haruspices*.

^c It is probable, that the ancients under-

flood by the *Vesta*, whole world, or the universe to which they attributed a soul, and which they looked upon as the only Divinity, sometimes under the name of *τὸ πᾶν*, and sometimes under that of *μὶνως*, that is to say, *Unity*. This was the mystical signification of *Vesta*, though the vulgar worshipped her as the Goddess of the Earth and of Fire. And with a view to represent the universe under the name of *Vesta*, *Numa Pompilius* built a round temple in honour of this Goddess: under which form, the temples of this Goddess are still represented in medals. In the midst of the temple *Numa* placed the altar of the sacred fire, which was ever burning, out of a persuasion, that the proper region of fire was the center of the world. In all probability, this King did not think the earth immoveable, but fancied it was always rolling round the fire; that is, the sun, which he thought placed in the center of the universe. And *Plato* embraced this opinion towards the end of his life; as did *Pythagoras*, and his disciples. So that, if we believe *Plutarch*, who relates all these facts, we must acknowledge, that the system which has since been adopted by *Copernicus*, was known in *Italy*, so early as in the days of *Numa Pompilius*. C. & R.

^d The keeping up of a sacred fire had always been a part of religion, in different nations. *The fire shall ever be burning upon the altar, saith the Lord, it shall never go out, Lev. vi. 13.* Such a fire was preserved in the temples of *Ceres* at *Mantinea*, of *Apollo* at *Delphi*.

Year of
R O M E
XLI—
LXXXII.

N U M A
Second
King.
D. Hal. p.
125.

ing and preserving it to four ^a virgins, whose names were *Gegania*, *Vere-
nia*, *Canuleia*, and *Tarptia*. Thus *Numa* a *Sabine*, seems to have had
more regard for the remains of the *Trojan* religion, than his predecessor,
though descended from *Æneas*. But *Romulus* for a particular reason, as
some think, would not suffer at *Rome* any of these consecrated Virgins.
He fear'd lest the faults of the *Vestals* should call to remembrance what
had happened to *Rhea Sylvia*, his mother.

All conversation with men was not forbidden these Virgins; they were
permitted to receive visits from them by day; by night, none but persons
of their own sex were suffered to come into their apartments. They
p. 127. were obliged to strict continence for thirty years; of which they employ-
ed the first ten in learning the ceremonies of religion, the next ten in the
Plut. p. 66. performance of them, and the ten last in teaching them to the younger
Vestals. After this they were permitted to quit the functions of Priestesses,
and marry. But as these late marriages were observed not to be very hap-
py, few of them left their old profession, even after the time of their mi-
nistry was expired. And indeed the restraints of their condition were in
some measure compensated by the honours that were annexed to it. If
they chanced to meet a criminal going to execution, they had the privi-
lege of pardoning him provided they affirmed, that their meeting him was
purely accidental. It was a capital crime to enter with them into the
litters in which they were carried. At what age soever they were ad-
mitted *Vestals*, they became immediately mistresses of their own fortunes.
And lastly, they had a right of making their wills, even in their father's
life-time ^b.

But then, as the honours done them were great, so were the punish-
ments of their faults. The least levity in their behaviour, the smallest ne-
glect in the discharge of their office, was, after proof made of it before
the *Pontifices*, punished, at their command, with severity. The penalty,
inflicted on them for prostituting their honour, had something in it in-
Plut. p. 67. expressibly terrible. The offender, placed in a litter, shut up so close
that her cries could not be heard, was carried cross the *Forum*, and thence
through the *Colline Gate*, to the place where she was to be buried alive.
Her friends and relations walked before her in tears, in the same order
as in a funeral procession, till they came near the vault, in which she was
to end her days. In this vault was a little bed, a lamp burning, and a
small quantity of provisions. The *Pontifex*, read some prayers over her,

Delphos and *Athens*, and in that of *Diana* at *Ecbatan* among the *Persians*. *Setinus* com-
mitted the care of the sacred fire in the tem-
ple of *Minerva*, and of the statue of *Pallas*
to a society of youngwomen. The *Magi* had
the charge of keeping a fire always burning
on altars erected in the middle of those little
temples which *Strabo* calls *νεαβῆα*. A lamp
was always burning in the temple of *Jupiter*
Ammon. And, if we may believe *Diod. Si-*

culus, this custom came from the *Egyptians*
to the *Greeks*, and from them to the *Romans*,
who made it a principal point of their reli-
gion. C. & R.

^a *Tarquin the Elder* added two more, and
this number was never increased. The *Ves-*
tals were chosen from six to ten years of age.
None beyond that age were admitted.

^b *Dio Cassius* says this privilege was grant-
ed them by *Augustus*, l. 56.

with

Year of
R O M E
XLI. to
LXXXII.

N U M A
Second
King.
D. H. B.
128.

with a low voice; but without the lustrations and other expiatory ceremonies used for the dead. This done, they let her down into the vault, and bricking up the entrance, covered it with earth. It is not certain that this custom of burying the *Vestals* was so early as *Numa*. Some authors say, they were burnt; and others, that they were stoned. As for the partner in the crime, he was whipped to death.

To suffer the sacred fire to go out, was also an unpardonable negligence in the *Vestals*. Being thought to forbode approaching ruin, it alarmed the whole city. Fresh fire, kindled, according to *Festus*, by rubbing two pieces of wood together, or, according to *Plutarch*, by the rays of the sun, was brought into the temple of *Vesta*, after many purifications; and the *Pontifices* examined into the cause; of this wicked neglect, that it might be punished with severity. *Festus* says, that the *Pontifex* whipped the offender through a veil.

§. VII. THE SIXTH CLASS, established by *Numa*, were the *SALII*. For their origin we must go up as high as *Evander*, who brought from *Arcadia* into *Italy* a company of musicians, the chief of whom was named *Salius*. Their office at first was only to sing at the sacrifices: But it was afterwards changed to dancing to the sound of the flute, in honour of those *Genii*, on whose favour success in war depended. *Numa Pompilius* laid hold of an opportunity that offered to revive this order, and make it a religious one. In the eighth year of his reign, a pestilence which ravaged *Italy* was severely felt in *Rome*. Fear increasing the superstition of the people, *Numa* took advantage of it for the promoting of his views, with respect to religion. He made them believe, that a shield of an extraordinary make fell down from Heaven to him, and that the Nymph *Egeria* and the Muses had told him, the health and prosperity of *Rome* depended upon the preservation of that shield. For fear therefore lest so precious a *Depositem* should be stolen, and that it might be the more difficult to distinguish it, he ordered a skilful workman, named *Mamurius*, to make eleven more, exactly like it. He pretended, that the Nymph *Egeria* and the Muses had directed this, and also that the fountain where he used to converse with them, and the fields about it, should be consecrated; and that the *Vestals* should from that fountain draw all the water with which they sprinkled their sanctuary. The twelve shields, called *Ancilia*, he hung up in the temple of *Mars*, and appointed twelve young *Romans*, taken out of good families, to be the keepers of them. Their name of *Salii* was agreeable to their ministerial office: for the descent of the miraculous shield was annually celebrated by them on the first of *March*, with publick *dancings.

§. VIII.

* In this festival, the twelve *Salii* marched out of the temple in good order, each carrying one of the sacred shields on his left arm, and a javelin in his right hand. They were dressed in habits striped with purple, and girded with broad belts, clasped with brass buckles; on

their heads they wore helmets, or high bonnets, which terminated in a point. As they marched, sometimes they sung in concert, and sometimes they danced, to the sound of instruments, martial entries, which they diversified agreeably enough. Sometimes one

Year of
ROME
M. C.
LXXXII.

Numa
Second
King.
D. Hal. B.
2. p. 131,
132.

§. VIII. THE SEVENTH CLASS of Ministers dedicated to religion, were the *FECIALES*; whose employment being of importance to the state, and their authority great, and for life, care was taken to chuse them out of the best families. It is probable, that a war, with which this pacifick King was threatened by the *Fidenates*, occasioned his thinking of this establishment. Notwithstanding the revolt of *Fidene*, and the depredations committed by its inhabitants, on the *Roman* lands, *Numa* thought himself obliged to attempt an accommodation by treaty, before he had recourse to arms. The better therefore to ascertain the equity of this war, if he should undertake it, and of all such as *Rome* should for the future engage in, he established a sacred college of 20. persons, who were to be in some measure the arbiters of war and peace: It was not lawful to commit any hostilities on the lands of the neighbouring nations, till all means of an amicable accommodation had been first tried, without success. In case the Republick had suffered any injury from a foreign state, two of these *Feciales*, or *Heralds*, were dispatched to demand satisfaction; and the manner was this. One of them, chosen by the college, under the name of a *Pater Patratus*, to be the chief actor, was cloathed in a magnificent habit, and in his hand was put a sort of sceptre, or *caduceus*, which distinguished him from his colleague. Thus accoutred he went out of the city: And when he arrived at the enemy's frontiers, he called *Jupiter* and the other Gods to witness, that he came only to demand justice in behalf of the *Roman* people. Then he advanced into the country of the aggressors, and took a second oath, that he would say nothing at the place whither he was deputed to go, but what was true, and require nothing but what was equitable. He told the first stranger he met, that he had taken these oaths, and then went on towards the city, of which he was to demand satisfaction. As he entered it, he repeated the same oaths at the gate, in presence of the officer who was upon guard, or at least of some of the inhabitants. From thence he went on to the place of publick concourse, and there declared the reasons of his coming. This done, he desired a conference with the magistrates: And if

only danced, who was called *Præsul*, he was the head of the company, and both led the dances, and regulated them. Sometimes they all joined together, and diverted the spectators with their martial attitudes, and their quick and lively motions. They were particularly expert in beating just time, which they did with their javelins upon their shields. In the choice of the *Salii*, *Numa* would have these two rules observed: 1st, That they should be natives of *Rome*, and free-born. 2^{dly}, That their fathers and mothers should be alive. By this means he made sure of their fidelity, their parents being their security. The festival lasted several days. During which, the first *Romans* were scrupulous of undertaking any serious and important affair. It was not then lawful for them to marry, or undertake a journey, or any mili-

tary expedition. In the latter ages, they shook off the yoke of this superstition, and became less scrupulous. The *Salii* ended all these days of ceremony with repasts, in which no cost was spared. Hence *Tully* uses the words, *Salutarem in modum cænare*, to signify a splendid entertainment. C. & R.

^a No persons were ever deputed to treat of peace or war, but such, whose fathers were living, and who were themselves the fathers of several children. And from hence comes the name of *Patres Patrati*, i. e. *Fathers in reality*, [or perhaps, *Fathers who had Fathers*] according to *Plutarch*; who adds, that this law was a political invention of *Numa*. This King thought, that a man who had a father and children alive, would be the more inclined to be faithful to his country, and promote its interests. C. & R.

they

they submitted to reason, and delivered up to him the persons who had been guilty of the insult offered to *Rome*, he carried them away with him. If the magistrates asked time to deliberate, he gave them ten days; and, when these were expired, ten more; and so on to thirty. But if, after the 30 days, they still continued to refuse him justice, he called the Gods of Heaven and Hell to witness against them; and forthwith declared, that he was going to make his report at *Rome*, where it would be considered of at leisure. Upon his return to the Senate, he reported, that he had performed all the duties of his office, and that nothing hindered the *Romans* from declaring war^a; and then was the time for the Senate to come to a resolution. But before these formalities had been observed, it was not lawful for either King, or Senate, military tribunes, or subaltern officers, to attempt any thing against the enemy. In this manner did *Numa*, perhaps a little at the expence of his own authority, put a check to the precipitate sallies of the *Romans*, who attended more to the suggestions of their ambition, than the rules of equity, in making war: And it was probably owing to these regulations, that the *Fidenates* escaped the resentment of the *Romans*; for the latter undertook no war in *Numa's* time.

§. IX. THE EIGHTH, and most venerable of all the different bodies consecrated to religion, was the PONTIFICES^b; the origin of which name is uncertain.

^a If the Senate determined to declare war, the *Feciales* returned to the enemy's country, and, in the presence of three witnesses, who were arrived at the age of *Puberty*, declared the cause of the war. After which he committed the first act of hostility, by throwing a bloody javelin: and at the same time uttered this form of words, which *A. Gellius* has preserved: The *Hermondulian* people, and those of this country, have offered violence to the *Roman* people, who for that reason declare war against them. The name *Hermondulian* is of no determinate signification, and was then universally applied to all nations. C. & R.

^b Most of those who have written of the *Roman* antiquities, (and particularly *D. Hal.* p. 132. and *Varro* de ling. Lat. l. 4.) derive the word *Pontifices*, from *Pons* and *facere*, the repairs of the bridges being committed to their care. Bridges were then thought sacred. The most solemn sacrifices were performed upon them. The bridge *Sublicius* is said to have been built, pursuant to the directions of an oracle, which forbade the use of iron in the framing it, and commanded that the parts of it should be joined together with wooden pins. But *Plutarch* finds fault with the abovementioned etymology of the word *Pontifex*. He says, this word was in use at *Rome* before there were any bridges there. That wooden bridge itself, which was the

first that was built at *Rome*, and called *Sublicius*, was of so late date, as to be the work of King *Ancus Martius*, *Numa's* grandson: whereas the word *Pontifex* was in use so early as in *Numa's* time. *Plutarch* (p. 65.) therefore gives another derivation of the word *Pontifex*; he derives it from *Potnis*, which, in old *Latin*, signified powerful or absolute master: some authors derive it from the two words, *potis* and *facere*, understanding by the word *facere*, to sacrifice.

From *Numa's* time, to the middle of the fifth century, after the foundation of *Rome*, the college of *Pontifices* consisted but of four. Afterwards, at the request of the people, who were desirous of sharing the honours of the priesthood with the *Patricians*, four *Pontifices*, of *Plébeian* families, were added. To these eight *Sylla* added seven more. The first eight were, according to some, styled *Pontifices majores*, and the rest *Pontifices minores*. According to others, these titles distinguished the *Patrician Pontifices* from the *Plébeian*.

It will appear in the latter ages of the republick, that the people claimed the right of choosing the inferior *Pontifices*: for as to the *Pontifex Maximus*, he seems to have been always chosen by the people, assembled in their *Comitia*. At least, we find instances of this kind in *Livy*, especially in B. 25. at the very

Year of
ROME
XLI. to
LXXXII.

NUMA
Second
King.

D. Hal. B.

2. P. 132.

133.

Year of
R O M E
XLI. to
LXXXII.

N U M A
Second
King.

uncertain. Their ^a office was, to give judgment in all causes relating to religion; to enquire into the lives and manners of the inferior priests, and to punish them if they saw occasion; to prescribe rules for publick worship; to regulate the feasts, sacrifices, and all other sacred institutions; to determine what works should be deemed lawful, and what unlawful, on festival days. Their President had the title of *Pontifex Maximus*; and his office was one of the most honourable in the commonwealth. Some say, the King reserved this eminent dignity to himself; and others, that he conferred it on his kinsman *Numa Marcius*.

§. X. SUCH were the eight classes into which *Numa* divided the priests and ministers of sacred things, multiplying the ceremonies and amusements of religion, in order the more effectually to divert the *Romans* from the pursuits of ambition, and the violence of arms. It was with the same view, or at least to give a check to the hasty proceedings of this fierce and rugged people, ever ready, upon the slightest occasions, to begin a war, that he caused a particular reverence to be paid to ^b *Janus*, whose two faces being the symbol of prudence, which looks backwards and forwards, and considers the causes and consequences of things, were to be a memento to them, to recollect themselves, before they gave way to their fury. He ordered the temple of that God to be kept shut in time of peace, and open in time of war.

D. Hal. p. 134.
Plut. p. 79.
Bona Fides.
Polyb. B. 6. c. 54.
But there is no part of *Numa's* management, which *Dionysius* admires so much, as his contrivance to make the *Romans* honest, by turning *Good Faith* into a Goddess, and appointing her a divine worship. It was a new invention unknown both to *Greeks* and *Barbarians*, and contributed greatly, as that historian observes, to bring the republick to be faithful to her treaties, and the private citizens to their contracts with one another, into which they entered without witnesses. A scrupulous regard to truth became in time so universal among them, that the magistrates frequently determined doubtful causes between man and man by the bare affirmation, *ex fide*, as it was called, of the plaintiff or defendant. This *veracity* and this strictness in the performance of covenants were virtues still subsisting among the *Romans* in the time of *Polybius*, who gives them the glorious testimony, that they inviolably kept their word, making witnesses and securities needless; whereas ten securities, twenty promises, and as many witnesses, were no fence against the knaveries of the *Greeks*.

time when the inferior *Pontifices* were chosen by the pontifical college. The *Pontifex Maximus* was also generally taken out of the other *Pontifices*. The Emperors assumed this dignity from *Octavius's* time; and the Christian Emperors continued to bear this title, to the time of *Gratian*, who (as we learn from *Zozimus*) absolutely refus'd it. C. & R.

^a *Tully*, in his oration, *pro domo sua*, tells the *Pontifices*, that the honour and safety of the commonwealth, the liberty of the people, the houses and fortunes of the citizens,

and the very Gods themselves, were all committed to their care.

^b *Livy* leaves it uncertain, whether *Numa* built the temple of *Janus*, or not. *Dion. Hal.* and *Plutarch* say nothing of it. *Varro*, as quoted by *St. Augustin*, says, that *Romulus* caused the first temple of *Janus*, in *Rome*, to be erected, after the treaty made between him and *Titus Tatius*; and that he gave this God two faces, to shew, that at *Rome* two Kings reigned at the same time, and two nations were united, and become one. C. & R.

§. XI. THE same spirit of equity in *Numa* made him likewise intro- D. Hal. B. 2. p. 133. 134. Plut. p. 71. duce other Deities, under the name of *Termini* or *Boundaries*. In *Romulus*'s time, neither the *Roman* territory in general, nor the estates of private persons had any fixed limits. That ambitious Prince would have betrayed his own cause; and his encroachments on his neighbour's lands would have been too manifest, had he set bounds to his own. But *Numa*, Year of ROME XLII. to LXXXII. having no views of enlarging his dominion, ordered stones, dedicated to *Jupiter Terminalis*, to be placed on the borders of the *Roman* state, to mark the just extent of it. The same was done with regard to the lands of private property, and these land-marks became themselves a kind of Deities. To remove them was deemed a sacrilege of so heinous a nature, that any man might with impunity slay the transgressor. And, in order to render the law yet more inviolable, *Numa* instituted a festival, called *Terminalia*, in honour to the *Dii Termini*: It was celebrated the 22d or 23d of the month of *February*. The owners of lands met on the confines of their estates, and there made their offerings of loaves, and the first gatherings of their fruits and harvests. Thus did this wise King make a great variety of superstitions serviceable to the purposes of equity.

These following laws of *Numa*, concerning religion, subsisted in *Rome* Cic. de Leg. B. 2. c. 8. ever after: *Let none appear in the presence of the Gods, but with a pure heart, and sincere piety. Let none there make a vain shew and ostentation of their riches, but fear lest they should thereby bring on themselves the vengeance of Heaven. Let no one have particular Gods of his own, or bring new ones into his house, or receive strange ones, unless allowed by edict. Let every one preserve in his own house the Oratories established by his Fathers, and pay his domestick Gods the worship that has always been paid them. Let all honour the ancient Gods of Heaven, and the heroes whose exploits have carried them thither, such as Bacchus, Hercules, Castor, Pollux and Quirinus. Let altars be erected to the virtues which carry us up to Heaven; but never to vices.*

§. XII. THOUGH religion was *Numa*'s chief care, the explaining Plat. p. 71. and amending the Civil Laws took up a great part of his attention: particularly, he reformed that law of *Romulus* which gave fathers an unlimited power over their children; he would not suffer them to sell their sons after marriage, because it was very unjust, that a woman who had married a freeman should be constrained to live with a slave.

This King in his regulations had an especial regard to the preserving modesty in women. He excluded them from all publick affairs, insomuch, that a woman having appeared in a court of justice to plead her own cause, it was looked upon as one of those prodigies which foreboded danger to the state, and as an ill omen which ought to be averted by expiations. He also forbad prostitutes to enter into the temple of *Juno*. Nevertheless, A. Gall. B. 4. c. 3.

* The *Dii Termini* invented by *Numa*, with statues representing human figures, were in his time nothing more than square stones, or posts, to which a religious honour was paid. Afterwards they were adorned with statues representing human figures, were crowned with flowers, and rubbed with perfumes. C. & R.

Year of
R O M E
XLJ. to
LXXXII.

N U M A
Second
King.

he permitted husbands to lend out their wives, when these had borne them children. It was a sort of temporary divorce, in favour of those men whose wives were barren, but the lender continued to have the power of a husband over his wife, and could call her home, or lend her to others, as he pleased.

Numa, observing that the expences in mourning habits and funeral ceremonies were carried to excess, put a restraint upon that kind of extravagance. Nor would he suffer the dead to be buried or burnt within the walls of *Rome*. He forbade the mourners at funerals to make loud lamentations, and abolished the mad custom of the women's tearing their faces upon the death of their children or husbands; and lastly, he limited the time of mourning to ten months.

§. XII. NOR were these the only reformatations made by *Numa*. *Romulus* having employed his people in continual wars, his successor was much embarrassed with a soldiery, who had been accustomed to plunder, and who were now without business. He shared therefore among them those lands which the late king had obtained by conquest, and had left uncultivated. And the better to keep them constantly attentive to the improvement of their farms, he distributed them into *Pagi*, or villages, over each of which he appointed a Chief or Super-intendant. The business of the Super-intendant was, to have a watchful eye over the husbandmen, to encourage them when diligent, and to punish them when slothful. He was also to make a report of the progress of agriculture in his district to the King, who, judging of every man's capacity for publick affairs by his prudence and œconomy in the management of his farm, frequently advanced the industrious husbandman to the first dignities in the state. *Plutarch* observes another great advantage arising from this manner of employing the idle soldiery; that hereby they were not only inured to fatigue, as in time of war, but became accustomed to a peaceable and regular way of living; for there is nothing which so reconciles the minds of men to peace, as husbandry and a country life; it makes them abhor all violence, at the same time that it gives them courage and resolution to defend their arable lands and pastures from the encroachments of their neighbours.

§. XIV. BUT the master piece of *Numa's* policy, according to *Plutarch*, was his ^b distribution of the tradesmen of *Rome* into distinct corporations. The city had been long divided into two factions, occasioned by the mixture of the *Sabines* with the first *Romans*. Hence arose the dissensions of the *Interregnum*; and it was an inexhaustible source of discord.

^a The dead were anciently carried on funeral beds, which were adorned with flowers and coronets. And when luxury prevailed, the *Romans* took a pride in multiplying these beds, adorning them in a costly manner, and exposing the images of the ancestors of the dead upon them, to make the procession the more stately and magnificent. *C. & R.*

^b This regulation of *Numa's* is not mentioned by *Livy*, or *Dion. Hal.* and indeed it seems inconsistent with what the latter says, *B. 2. p. 95.* That only two sorts of employment, *War* and *Agriculture*, were permitted to the freemen by *Romulus*, and that all other occupations were for a long time looked upon by the native *Romans*, as dishonourable, and left to slaves and strangers.

Numa

Plut. p.
71.
D. Hal. p.
135.

Plut. p. 1.

Numa therefore to remedy this evil, and to abolish the very names of *Tatian* and *Romulist*, made all the artists and tradesmen of *Rome*, of whatsoever nation they originally were, enter into separate companies, according to their respective professions. The Musicians, Goldsmiths, Carpenters, Carriers, Dyers, Tailors, &c. formed distinct communities. •He ordained particular statutes for each of them, and granted them peculiar privileges, and a power of making by-laws. Every corporation was permitted to hold lands, have a common treasury, and to celebrate festivals and sacrifices proper to itself; in a word, to become a sort of a petty republic. By this means, says *Plutarch*, the *Sabines* and *Romans* forgetting all their old partialities and party names were brought to an entire union.

Year of
R O M E
XLI. to
LXXXII.

N U M A
Second
King.

§. XV. THE last reformation which this second King of *Rome* undertook, was that of the calendar: And if he did not bring it to its utmost perfection, he at least purged it of its grossest faults.

The year is said to have consisted, before his time, of but 304 days; which is neither agreeable to the solar nor lunar year. *Numa* therefore did his utmost to make it agree with the courses both of the sun and moon: And he took this method in order to it. He knew the lunar year consisted of 354 days, and he made his to consist of 355: The additional day was given to it out of superstition; *Numa* being persuaded, that the Gods were pleased with odd numbers. And upon the same principle, when he added ^b *January* and *February* to the old year, which consisted only of ten months, he appointed that the months which before contained, some of them more than 35 days, others fewer than 20, should now have each 29 days, or 31. *February* only consisted of 28; and it was therefore looked upon as a fatal month, and consecrated to the infernal Gods, who were thought to be pleased with even numbers. *Numa* appointed likewise, that the year, which before begun with the month of *March*, should henceforwards begin with that of *January*. And after he had in some measure regulated his year by the course of the moon, he turned his thoughts to make it agree with that of the sun. He was not ignorant that the course of the sun took up about eleven days more than that of the moon: And therefore he appointed that every two years an intercalary month of twenty-two days should be added to

^a This whimsical notion was built on the most chimerical foundation. The *Pagans* looked on an even number, as the symbol of division, because it could be divided into two equal parts: whereas an odd number was, for the contrary reason, the symbol of concord. This prejudice gave birth to a thousand superstitious practices, some of which are continued even among those whom reason, enlightened by religion, ought to have undeceived. 'Twas a notion that came originally from the *Egyptians*. C. & R.

^b *January* had its name from *Janus*. *February* was so called from the expiations signified by the word *Februa*, which were in

this month performed. *March* had its name from *Mars*, the supposed father of *Romulus*, which upon that account had been placed first. *April* from *Aphrodite* or *Venus*, because of the superstitious worship then paid to her. *May* from *Maia*, the mother of *Mercury*, to whom this month was made sacred. *June*, from *Juno*, or some will have it, from *Juventus*, because the season is warm, or as it were *juvenile*. The rest had their names from their order, as *Quintilis*, *Sextilis*, *September*, *October*, *November* and *December*. Only *Quintilis* and *Sextilis* were afterwards turned into *July* and *August*, by the senate in the time of *Julius Caesar* and *Augustus*.

Year of
R O M E
XLI. to
LXXXII

N U M A
Second
King

the rest; which month the *Romans* called *Mercedinus*. And as he was sensible that the solar year consisted of three hundred sixty-five days and six hours, and that these six hours made a whole day, in four years; he therefore commanded that the month *Mercedinus*, after every four years, should consist of twenty-three days. Thus did this learned Prince remedy the disorders of the calendar, as far as he could, and put it into a condition of more easily admitting of new corrections.

D I I I B
I 5
But p 73

† 74

§. XVI. *NUMA* had now filled the throne near 43 years; and was about 82 years old when he died of some chonical distemper, which gradually wore him away, without lessening the vigour of his mind. During his whole reign no declaration of war had obliged the *Romans* to open the temple of *Janus*. He became the arbiter of all the differences among his neighbours, and his virtues seem to have communicated themselves to all the nations round about *Rome*. As to the *Romans* themselves, it might be literally said, that their weapons of war were changed into instruments of husbandry. No intestine seditions, no ambitious desires of the throne, nor attempts upon it, nor so much as any murmurs against the person, or administration of the King, appeared among them. When he died, they lamented him as sincerely, as if every man had lost his own father; and the concourse of strangers to *Rome*, to celebrate his obsequies, was exceedingly great. *Numa* had forbidden the *Romans* to burn his body; they therefore put it into a stone coffin, and, pursuant to his own orders, buried the greatest part of the books he had written, in the same sepulchre with him. In consequence of the law he had made, that no dead body should be interred within the city, he himself had chosen a burial place beyond the *Tiber*, at the foot of the *Janiculum*. And thither he was carried on the shoulders of his Senators, and followed by all the People, who bewailed their loss with tears. He left no children, except a daughter, named *Pompuia*, who was married to *Numa Marcius* (the

* *Plutarch*, in the life of *Julius Cæsar*, calls this month *Mercedonius*. And *Gellius* tells us of certain days, which he calls *Mercedonies Dies*, because they were the time appointed for the payment of workmen and domesticks. The intercalary month began the day after the *Terminalia*. A little astronomy was sufficient to shew, that *Numa's* year could not agree with the courses of the sun and moon. The exact periods of the revolutions of the sun and moon were not then known. *Livy* writes, that *Numa* first instituted the days the *Romans* called *Fasti* and *Nefasti*. *Macrobius*, B. 1. distinguishes three sorts of days, which he calls *Festi*, *Profesti*, and *Interfesti*. The first were consecrated to the worship of the Gods; the second set apart for publick and private business, the last were divided between both. C & R.

^b These books, when dug up some time after, were burnt by a decree of the Senate. He had therein explained his reasons for the novelties he had introduced into the *Roman* worship. We are indebted to *Varro* for this account. He tells us, that one *Turentius* had a piece of ground near the *Janiculum* and that a husbandman of his, one day accidentally running his plough over *Numa's* tomb, turned up some of that Legislator's books; wherein he gave his reasons for establishing the religion of the *Romans* upon the foot on which he left it. The husbandman carried these books to the *Prætor* of *Rome*, and the *Prætor* to the Senate, who, when they had read the frivolous reasons he assigned for his religious establishments, agreed, that the books should be destroyed according to *Numa's* intentions. and it was accordingly decreed,

(the son of his kinsman *Marcus*, who had persuaded him to accept of the government) and was the mother of *Ancus Marcius*, fourth King of Rome.

Year of
R O M E
XLI. to
LXXXII.

creed, that the *Prætor* should throw them into the fire. *Varro*, *apud S. Aug. lib. 7. de Civit. Dei*, cap. 24. *St. Austin* thinks there were some footsteps of magick in these books; of which *Numa* had in his life-time been suspected. C. & R.

CHAP. IV.

TULLIUS HOSTILIUS.

- §. I. *Tullius Hostilius a man of a generous and martial disposition is elected by the Romans to succeed Numa.* §. II. *The rivalryship between Rome and Alba for superiority.* §. III. *The dispute is decided by the famous combat between the three Horatii and the three Curiatii, in which the latter are all slain, and two of the former.* §. IV. *The surviving Horatius in his return to the city, in triumph, stabs his own sister, for reproaching him with the death of her Lover. He is tried by the Duumviri, and condemned to die. He appeals to the People, and they mitigate the sentence.* §. V. *Tullius, in conjunction with the Albans, engages in a war against the Veientes, and defeats them. The treachery of the Albans. Tullus demolishes Alba, and transplants the inhabitants to Rome.* §. VI. *He vanquishes the Fidenates, Sabines, and Latines; and institutes the Saturnalia.* §. VII. *In his old age, he falls into superstition, and studies magick. He is assassinated in his own palace.*

§. I. **T**HE two factions of the *Romulists* and *Tatians*, whose quarrels suspended for so long a time the election of a successor to *Romulus*, being now no more, the *Interregnum* which followed the death of *Numa* proved very short. *Tullus Hostilius*, a man of a warlike genius, was unanimously chosen King by the People, and accepted by the Senate. He was grandson to a noble Roman, named *Hostus Hostilius*, who is said to have signalized his courage in *Romulus's* time in the second battle with the *Sabines*, and to have married either the famous *Herfilia* or her daughter.

Year of
R O M E
LXXXIII.
TULLIUS
HOSTILIUS
Third
King.
Livy, B. I
c. 22.

Tullus having riches enough in his own patrimony, both for the maintenance of his household, and the expences of the publick worship, was no sooner upon the throne, than he distributed among such of the citizens as remained unprovided for, those portions of the conquered lands which his predecessor had reserved for the royal demesnes, or set apart for the uses of religion: And thus he began his reign by a shining act of generosity, which gained him immediately the universal affection of his people.

This Prince being not only generous and brave, but of an enterprising genius, found in himself a greater inclination to tread in the steps of *Romulus* than those of *Numa*: But the laws established by his pacifick predecessor laying such restraints upon his martial ardor, as he could not instantly break through, he waited till fortune should be so favourable, as to set him free: And it was not long before she furnished him with a pretext to open the temple of *Janus*.

Year of
R O M E
LXXXIII.

TULLUS
HOSTILI-
US Third
King.

D. Hal. B.
3. P. 137.

P. 138.

§. II. THE *Albans*, upon the death of *Romulus*, seeing the race of their ancient Kings extinct, had resumed their independence upon *Rome*; and they chose their own Governors. *Cælus* or (according to *Livy*) *Cluilius* was now at the head of affairs in *Alba*. He is sometimes styled King, by the historians, and sometimes Dictator. His jealousy of the growing greatness of *Rome*, which by the conquests of *Romulus*, and the wise administration of *Numa*, was already become equal to any city in *Italy*, made him impatient to put a stop to its growth; and having no plausible reason at present to give his people for engaging them in a war with the *Romans*, he made use of the following stratagem to bring them into his sentiments and measures. He privately commissioned some of the vilest and most indigent of his subjects to go and ravage the *Roman* lands, not doubting but *Rome* would immediately fly to arms to revenge herself, and thereby give him a fair opportunity to make her pass, in the minds of the *Albans*, for the first aggressor, and the beginner of the war. Nor was *Cluilius* disappointed in his expectation. A *Roman* army entered the territories of *Alba*, attacked the robbers, slew many of them, and took abundance of prisoners. *Cluilius* being now sufficiently provided with matter for his purpose, convened an assembly of the people, inveighed against the *Romans*, produced a great many of the wounded, as also the relations of those who had been killed or taken, and, by exaggerating the losses which *Alba* had sustained, at length brought the Assembly to this conclusion: That an embassy should be sent to the *Romans* to demand satisfaction of them, and, in case they refused it, that war should be declared.

When the Ambassadors arrived at *Rome*, *Tullus*, guessing at their errand, resolved to prevent them, and be the first in demanding satisfaction; that so he might throw upon the *Albans* all the odium of the breach between the mother-city and the colony: For it had formerly been agreed between them, that they should never make war against one another, till a reparation of the damages sustained on either side had been previously asked in a friendly manner. It was for this reason that *Cluilius* had hastened the departure of his deputies; but *Tullus*, no less artful than he, made use of various pretences to defer giving them audience; and he contrived to have them so agreeably entertained in the houses where they were lodged, that they neither cared to stir abroad, nor had any uneasiness about these delays. In the mean time, the *Roman* King sent an embassy to *Alba*, with orders to require satisfaction on the part of *Rome*, and to press the conclusion of the affair. A *Fecialis* was at the head of the Ambassadors, who, setting out before sun-rising, reached *Alba* the same morning. They found *Cluilius* in the midst of the publick *Forum*, and there discharged their commission, putting him in mind to conform himself to the old treaty of alliance: To which *Cluilius* briskly answered, *It is you alone who violate the treaty, my part has been already performed; I have sent Ambassadors to your King, but to no effect; and I therefore declare war against you.* The *Fecialis* then asked him, whether that King, of the two, who first refused to hear the other's complaints, ought not to be deem'd guilty of the first breach

of

P. 139.

of the alliance? and, upon *Cluilius's* answering, *Without doubt*, the other invoked the Gods to attest, that the *Alban King* was the first violator of it. After which he and the Ambassadors instantly took their leave, and set out for *Rome*.

Year of
R O M E
LXXXIII.

TULLUS
HOSTILI-
US Third
King.
* Livy, B.
1. c. 22.

They were no sooner returned thither, but *Tullus* * sent for the *Alban* Deputies, received them in an obliging manner, and then enquired into the design of their embassy. These civilly made long excuses for the disagreeable commission with which they were charged; protesting, that they had accepted it contrary to their inclinations, and were very sorry to find themselves under a necessity to demand satisfaction of him, and to declare war, in case of a refusal. To which *Tullus* replied, *Go, tell your King, that the King of Rome calls the Gods to witnesses, which of the two nations did first refuse the other satisfaction, that upon that nation they may heap all the miseries of this war.*

The *Roman Fecialis* had given *Cluilius* but thirty days to consider of the means to prevent hostilities. This time was employ'd on both sides, in making preparations for the war, and getting succours from their allies. At length, both armies took the field; *Cluilius* pitched his camp five miles from *Rome*, and fortified it with a good ditch, (which continued long after, and was called *Fossa Cluilia*.) King *Tullus* posted his *Romans* on an advantageous ground, within view of the enemy.

D. Hal. B.
3. P. 139.

But now, whatever was the cause of it, the two armies were no sooner in sight of each other, than their ardor for fighting cooled, and they both kept close within their intrenchments. This inaction made the *Albans* begin to murmur at their Commander as the Author of a fruitless war; so that, to free himself from their reproaches, he resolved at length to offer the enemy battle; but the next morning, he was found dead in his tent with all his guard about him, and without any signs of violence.

Upon the death of *Cluilius*, the army saluted *Melius Fuffetius* Dictator. He was a man of the same turbulent character, and in the same views with his predecessor; but, receiving advice that the *Fidenates* and *Veientes* intended to fall upon both armies when they should be weakened by a battle, he, instead of pursuing the war, desired a conference with the King of *Rome*, in order to a reconciliation. *Tullus* having received the same information, listen'd readily to the proposal. When the two commanders came to a parley, both of them expressed a willingness to have a union formed between the *Albans* and *Romans*. *Tullus* proposed, as the best means to make it durable and perfect, that all, or the chief of the *Alban* families should remove to *Rome*; or, in case they were unwilling to leave their native city, that one common senate should be established to govern both cities, of which the more worthy should have the dominion over the other. The *Albans* who attended *Fuffetius*, and whom he took aside to consult with them upon these expedients, would by no means consent that *Alba* should be deserted by its inhabitants; but they approved of the motion for a common senate, and giving one city the command over the other. The only difficulty now was to settle which

D. Hal. B.
3. P. 142.
& seq.

Year of
R O M E
LXXXIII.

TULLUS
HOSTILI-
us Third
King.
D. Hal. B.
3. p. 150,
& seq.

city should have the preference. *Fuffetius* spoke in favour of *Alba*, making this his chief plea, that she was the mother-city, from which *Rome* was but a colony; and *Tullus* urged, in behalf of *Rome*, her superiority of strength and grandeur. In the close of his speech, he offered to terminate the dispute by a single combat between himself and *Fuffetius*. The *Alban* General not being brave, or perhaps not thinking himself a match for *Tullus*, brought several prudential reasons, to prove that it would be better to choose three champions out of each camp, whose swords should terminate the contest, than to hazard the lives of the Generals. This proposal *Tullus* accepted; and the Chiefs retired into their entrenchments.

§. III. AS soon as the conditions of the union of *Alba* and *Rome* were known in the two armies, there was in both of them a strong emulation among the young warriors, for the honour of being chosen to this important combat. *Fuffetius* cast his eyes on three brothers, whom he imagined the Gods themselves had pointed out to be the champions for *Alba*; believing also, that three brothers who were then in the *Roman* camp, were under the like destiny of being the champions for *Rome*. It was the extraordinary circumstances of their birth, which made *Fuffetius* entertain this notion. *Sequinius*, an illustrious *Alban*, had two daughters; one he married to *Curiatius*, a citizen of *Alba*, the other to *Horatius*, a citizen of *Rome*: and these two women were brought to bed on the same day, each of three male children. The *Horatian* and *Curiatian* brothers were now in the flower of their age, and all six remarkable for their strength and dexterity in fighting. The *Alban* General having fix'd his choice on the three *Curiatii*, and gained their consent, communicated his thought to the King of *Rome*, and exhorted him to pitch upon the three *Horatii*. Fate, said he, appears to have brought three champions on each side into the world, on purpose to decide by their swords the fortune of their countries. *Tullus* proposed the matter to the *Horatian* family, but would lay no injunction upon them. Old *Horatius*, the father of the three brothers, left them free to act as they would do, if he were not living; and, when he understood, that they, following the example of the *Curiatii*, preferred a glorious death, or important victory, to an inglorious life, he lifted up his eyes to heaven, and embracing them, cried out, *I am a happy Father*; and then commanded them to declare his consent to the King.

Livy, B. 1.
c. 24.

When the Day appointed for the combat came, *Tullus* led the *Horatii*, and *Fuffetius* the *Curiatii*, into the plain between the camps: where the two Kings, attended by their *Feciales*, met in the middle of it, and, before the engagement, concluded a treaty in form.

D. Hal. p.
154.

And now the *Alban* and *Roman* champions advanced with a slow pace, each

* The form of this treaty escaped the injuries of time, till *Livy's* days: he (B. 1. c. 24.) gives us the following account of it; and it served as a pattern for the greater part of the treaties which were afterwards made by the *Romans*.

First, one of the college of the *Feciales*, named *Marcus Valerius*, demanded of King *Tullus*, Whether he gave him orders to conclude a peace with the *Pater Patratus* of the *Albans*? The King answered, *He did*. Give me then, replied the herald, some *Veragin*, [the

fig. u

each to meet his adversary. But in the instant, when the people expected to see them in a fierce encounter, they quitted their arms, and, with tears in their eyes, flew to embrace each other. The spectators, greatly moved at this sight, began to murmur at their Kings, who had engaged such tender and generous friends in a cruel rivalry for glory. A new scene quickly put an end to their pity, captivated all their attention, and employed all their hopes and fears. The triple combat began; and fortune, for a long time, held an even balance. At length, the eldest of the *Horatii* received a mortal wound, and fell; a second of the *Roman* champions had the same fate, and expired upon the body of his brother. The *Alban* army, hereupon, gave a great shout, while consternation and despair spread themselves through the *Roman* camp. The *Roman* cause however was not yet desperate; for all the *Alban* champions were wounded, and the remaining *Horatius* unhurt, and undaunted. Nevertheless, he did not think himself able to sustain the attack of the three brothers at once, and therefore made use of a stratagem to separate them: He pretended fear, and fled before them. The *Curiatii* pursued him, but at unequal distances, and as their strength would permit. *Horatius* turned short upon the nimblest and slew him. He then flew to the next, and, at one stroke, cut off his arm; after which he ran him through the body. The third was in no condition to fight. Being desperately wounded he could hardly support himself on his buckler. *Horatius* cried out, *To the glory of Rome I sacrifice thee*, struck him on the throat, and, big with victory, seized the spoils of the vanquished. Thus ended this famous combat, which gave *Rome* the superiority over her mother *Alba*. *Iulietius* immediately saluting King *Tullus* as his master, asked him, what were his commands? *I command you nothing*, said *Tullus*, *but to keep the Alban youth in readiness to march at my orders, in case I make war with the* Veientes. He likewise endeavoured to comfort the *Albans*, who were

Year of
R O M E
LXXXIII.

TULLUS
HOSTILI-
US Third
King.

P. 155.
Liv., c. 25.

Liv., B.
c. 26.

sign of his commission.] *Yes*, answered the King, *bring me some that is pure*. At those words, the *Feciales* went and gathered some Vervain on a little hill, brought it, and went on thus: *Do you then appoint me to be Fecialis and Plenipotentiary of Rome to the Albans, and engage to protect my equipage and retinue?* *Yes*, replied the King, *as far as is consistent with my interest, and those of the Roman people*: and then *Valerius* the *Fecialis* appointed *Spurius Fufius* to be *Pater Patratus* of the treaty, by crowning him with Vervain. His office was to pronounce aloud the words of the oath in the name of the *Roman* King and people, and to repeat the whole form of the treaty.

After this ceremonial, which passed only among the *Romans*, the *Pater Patratus* read the articles of the convention in the presence of the *Albans*; and then expressed himself

thus: *Hear, O Jupiter, bear, O Pater Patratus of the Alban people, bear, O Alban people: Of these articles as I have just now read them out of these waxed tablets, without fraud or deceit, and as they have been from one end to the other clearly understood, the Roman people will never be the first violators. If they should violate them by publick authority and by fraud, may Jupiter at that instant strike them, as I shall now strike this hog! May thy stroke, great Jupiter! be as much heavier as thy power is greater.* At which words he killed the hog. [that was to be offered up in sacrifice, in confirmation of the treaty,] by a blow on the head with a flint. The heralds of the *Albans* took the like oaths, and also offered their sacrifices.

^a *Dionysius* says, that there remained only two of the *Curiatii*, and that one was killed in the beginning of the fight, after the first of the *Horatii*.

grievously.

D. Hal. B. grievously cast down, by assuring them, that he would change nothing in
3. P. 158. their laws or form of government.

§. IV. BUT now, in the height of young *Horatius's* joy, when his glory seems to have dazzled his own eyes, and to have made him forget that he was a man, he fell into a crime, that obscured the lustre of his exploit, brought disgrace upon him, and even merited, in strictness of justice, a much severer punishment. As he was returning to the city in a sort of *Triumph*, his temples encircled with a crown the King had put upon his head, and his shoulders loaded with the spoils of the three *Curatii*, he, to his great surprize, beheld his sister, unaccompanied by her mother, and without any attendance, hurrying forward in the promiscuous crowd to meet him. However, in his own mind, he excused the uncommon indecency, by imputing it to an impatient desire of seeing and congratulating her victorious brother. But, alas! the zeal which had brought her from home was of another kind: One of the *Alban* champions had been her lover, and was to have been her husband. Upon the first report of his being slain, she had stolen from her mother, and was come, running like a distracted creature, to learn the certainty of his fate: And, when she saw the conqueror bearing in triumph her lover's military robe (a robe which she had wrought with her own hands) all stained with his blood, she tore her hair, beat her breast, and reviled her brother in the bitterest expressions. *Thou monster of wickedness*, she cried, *how couldst thou dip thy hands in the blood of thy relations, whom thou hast so often called thy brothers? How couldst thou murder the man thy sister should have married? Horatius*, still warm with slaughter, and enraged at these reproaches, and the untimely grief of his sister, *Go then to thy lover, with thy unseasonable passion, Thou, who forgettest thy dead brothers, thy living brother, and thy country. Thus, let every Roman perish, who laments the death of an enemy to Rome!* As he uttered these last words, he stabbed her with his sword; and, without longer stay, without sign of pity or remorse, went strait on to his father's house. The father approved of the cruel deed, and refused to let his daughter be buried in the sepulchre of her family.

D. Hal. B. Nevertheless when King *Tullus* returned to *Rome*, *Horatius* was arraigned
3. P. 159. before him upon an accusation of murder; and some of the most eminent of the citizens concerned themselves in the prosecution. They thought it of dangerous consequence to slacken the rigour of the laws in favour of any man, merely on account of his bravery or success in battle; and the law expressly forbid to kill any person whatsoever who had not been first condemned. This affair threw the King into some perplexity, being divided between his regard for the laws, especially in the case of murder, and the desire he had to save the young warrior, who had done him such important service. To avoid the odium he might bring upon himself by either acquitting or condemning the criminal, he, as *Livy* tells us, turned the affair into a state crime, and, having called the people together, named two commissioners or *Duumviri* to try him as a traitor. This was conformable to the law, in cases of treason. The law ran thus: *Let two*

Com-

Liv. c. 26.
Year of
ROME
LXXXIII.
TULLUS
HOSIUS
vs. The
King.

Livy, B. 1.
c. 26.

Commissioners be appointed to try state crimes. If the criminal appeal from the sentence of these judges, let his appeal be received. If their sentence be confirmed, let him be hood-winked and hanged with a rope upon a cursed tree, having been first scourged either within or without the pomerium. The fact of which *Horatius* was accused being notorious, and not disowned by the prisoner, the *Duumviri*, without delay, pronounced sentence against him in these words: *Horatius, we judge you to be guilty of treason. Go, Lictor, tie his hands.* The executioner had already laid hold of him, when *Horatius*, by the King's advice, appealed to an *Assembly of the People*; and this shews that the authority of the people was superior to that of the King. *Horatius* appeared there with the same undaunted resolution that he had shewn in his combat with the champions of *Alba*; and his father pleading for him, and even justifying the fact, the Assembly, through admiration of his courage, rather than for the justice of his cause, revoked the sentence that had been passed against him. However, that the crime might not go wholly unpunished, they condemned *Horatius* to pass under the yoke, an ignominy to which they usually subjected prisoners of war who had cowardly surrendered their arms. (The yoke was a kind of gallows, in form of dog-stake.) The King likewise appointed expiations to pacify the Anger of the Gods; and the *Pontifices* erected two altars, one to *Juno*, the protectress of women, and another to *Janus* (deemed perhaps one of the guardian *Genii* of men) now stiled *Curatian Janus*, from the name of *Horatius's* cousins, whom he had slain. An annual commemoration of the thing was likewise ordered to be observed, with sacrifices on those altars; which altars, with the yoke under which *Horatius* passed, were still remaining in the time of *Augustus*. All the honour done to *Horatius* for his victory was erecting a square column in the middle of the *Forum*, and hanging thereon the spoils of the *Curatii*.

§. V. *TULLUS* did not forget the treacherous designs of the *Fidenates*, during his war with the *Albans*, and he at length resolved to take his revenge. But, to proceed regularly, he first cited them to appear before the Senate of *Rome*, and answer for their conduct. They, being conscious of guilt, and in secret intelligence with *Fuffetius*, who hoped to free himself from the *Roman* power, refused to obey, and in conjunction with the *Veientes*, took the field. *Fuffetius*, in obedience to *Tullus's* orders, joined him with the *Alban* troops; but the day before the battle, he imparted to his chief officers his secret intention, which they approved. It was to stand neuter till fortune had decided the day, and then to fall upon that side which should be routed. Accordingly, just before the action began, he retired with his men to a hill. *Tullus* had notice of his desertion; and, in this distress, privately made a vow to add twelve priests to the college of the *Salii*, and to build a temple to *Fear* and *Paleness*. Then telling his men, in the hearing of the enemy, that the motion *Fuffetius* had made was by his order, he confidently attacked the *Fidenates*, who being disheartened by the apprehension of treachery in the *Albans*, were easily routed; and then *Fuffetius* poured down from his hill upon the runaways.

Tullus;

Year of
R O M E
TULLUS
HOSTILI-
US Third
King.

D. H. p.
159, 160.

D. Hal. B.
3. p. 101
& c.

Livy, B. 1.
c. 27, 28,
29.

Year of
R O M E
TULLUS
HOSTILI-
us Third
King.
† D. H. p.
167.

Tullus concealed his knowledge of *Fuffetius's* treachery, went privately in the night to *Rome*, consulted the Senate, and returned to the camp before break of day. Instantly he detached *Horatius* † with a chosen band of horse and foot to go and demolish *Alba*; and while these orders were executing, he commanded both the *Roman* and *Alban* troops to attend him unarmed, but with private instructions to the *Romans* to bring their swords under their clothes. When they were all assembled, he made a speech to them, in which he laid open the perfidiousness of *Fuffetius*; and in the conclusion ordered him to be fastened to two chariots, and torn asunder, by driving the horses contrary ways. His chief accomplices were also put to the sword; but the King transplanted the rest of the *Alban* soldiers and citizens to *Rome*, and even admitted the principal of them into the *Roman* Senate. Of these the historians particularly mention six families; the *Julii*, *Quintii*, *Servilii*, *Geganii*, *Curatii*, and *Clavii*: Others were promoted to the dignity of Knights, and all without exception enjoyed the privileges of *Roman* citizens.

p. 172.

Livy, c. 30.

This new increase of inhabitants obliged *Tullus* to enlarge the limits of the city; he took in mount *Caelius*, and allotted it for the *Albans* to settle upon (without excluding them from other parts of the city) and built his own palace there.

D. Hal. B.

3. P. 172.

§. VI. THE *Fidenates* persevered in their revolt, and *Tullus* spent the winter in making preparations to attack them early in the spring. He then took the field, defeated them under the walls of *Fidene*, and obliged them to retire into the city; where by cutting off all succours and provisions from it, he reduced them to such extremities that they surrendered at discretion. He punished the heads of the revolt, but suffered the rest to continue in their city, under their own form of government, only in dependance upon *Rome*. This compleat victory procured him the honours of a triumph, in which the spoils of the enemy were carried as trophies.

p. 173.

And now the *Romans*, flushed with success, and strengthened by their union with the *Albans*, demanded satisfaction of the *Sabines* for the insults which some *Roman* citizens had formerly suffered from them at the temple of the Goddess *Perenia*, i. e. (*Flora*, or *Proserpina*) which stood at the foot of mount *Soracte*, upon the banks of the *Tiber*, and was frequented by both *Sabines* and *Romans*. The *Sabines* not being able to get succours, kept themselves for some time on the defensive only. At length they came to so bloody a battle with the *Romans*, that both armies, terrified with the numbers of their slain, retired into their own countries, and attempted nothing more that campaign. The next year the war was renewed with greater fury. The two armies met near *Eretum*, a town about 13 miles from *Rome*, and the battle continued long in suspense; till *Tullus* by making a vow to *Saturn* * and *Ops*, to institute a festival to their honour, so raised

* These festivals of *Saturn* and *Ops*, or *Rhea*, were kept at *Rome*, in the month of *December*, under the name of *Saturnalia*, and *Obalia*. They, properly speaking, were but one and the same solemnity, continued for several days together. The festival appropriated to *Saturn*, was fixed to the 16th of the calends of *January*; and that of *Ops*, which

the courage of his men, that he obtained a complete victory. The *Sabines* p. 174. submitted, and the Senate prescribed the conditions of a treaty with them; Y ear of which, when concluded, was written on pillars erected in holy places, that R O M E those pillars might be lasting monuments of the superiority of *Rome*. TULLUS

So much success carried the *Romans* to make new pretensions. They HOSTILIUS summoned all the *Latine* towns, which had been dependant on *Alba*, to sub- US Third mit to the *Roman* laws. Upon this an assembly of the *Latine* nation was p. 175. held at *Ferentinum*, where it was resolved not to bow under the yoke of *Rome*; and two Generals were chosen to command their forces. The *Romans* did not make war upon them in a regular way, but after the old manner of inroads and incursions, destroying their harvest. *Medullia*, which had submitted to *Romulus*, and since revolted, was the only town taken by King *Tullus*, in this war.

The *Sabines* some years after, thinking themselves in a condition to take p. 174. revenge upon *Rome*, invaded the *Roman* territory, and in small parties, 175. spread themselves all over it, to pillage; and the little opposition they met with, encouraged them to think of besieging *Rome*. But *Tullus* marched against them, and once more entirely defeated them near the *Malefactor's* ~~grave~~.

§. VII. IT is related, that King *Tullus*, when grown old, fell into super- Plut. Num. stition and credulity, and was much imposed upon by stories of pro- ma, p. 75 digies, and voices from heaven, upon which occasion he ordered expiatory Liv. B. 1. sacrifices for nine days, the time usually employed afterwards in expia- c. 31. tions, when the people were terrified with prodigies. He is said also by some to have studied magick, and to have hid himself in a private place to perform a magical sacrifice, in order to raise *Jupiter* ^b *Elicius*; but that, omitting some part of the necessary ceremonies, the God in a rage set his palace on fire by lightning, so that the King, his wife and CXIII. children all perished in the flames. But others are of opinion, that *Tullus* died by the hands of *Ancus Marcius*, his successor; who, when the D. Hal. p. 176.

which was likewise a part of the *Saturnalia*, to the 14th. *D. Hal.* attributes the origin of them to *Tullus Hostilius's* vow. Because all the fruits of the earth were gathered in in *December*, the *Romans* therefore fixed the festival of these Deities in that month, one of which represented the Heavens, and the other the Earth, to whose united influences and power all fruits owe their production. These festivals were celebrated with mutual entertainments; the slaves themselves eat at their masters tables. Which was not only to reward them for their labours in cultivating the earth, and gathering the fruits of it, but likewise to renew the remembrance of the golden age, in which all men were equal. Servants had at this time a right of being served by their masters, wearing their clothes, and reproving them for their faults. In this

sense we are to understand *Horace's* applying himself to his servant,

————— ^p *Age, libertate Decembri,*
(*Quando ita majores voluerunt*) *utere: narra.*
Sat. 7. B. 2. C. & R.

^a The *Ferentinum* here spoken of, was in *Latium* near *Monte Albano*, in the same place where *Marino* now stands. C. & R.

^b The art of raising some *Dæmon*, under the name of *Jupiter Elicius*, was pretended to in *Italy*, from the times of the old Kings of the *Aborigines*. We are told, that *Faunus* and *Picus* practised it in their time; and that, by their enchantments, they forced this pretended Divinity to appear to them by the side of a spring in *Italy*, and were by him enabled to raise a storm of thunder and lightning, when they pleased. *Arnob.* B. 5. C. & R.

Year of
ROME
CXIV.

King and his whole family were met to perform a domestick sacrifice, first slew them, and then set fire to the palace, to conceal his crime.

Tullus had been more inclined to fighting, than to legislation. No law is mentioned to have been made by him but this, That whenever three male children should be born at a birth, they should, in memory of the *Horatii*, be brought up at the publick expence. Generosity and personal courage were his chief merit. As for his rekindling in the *Romans* that love of war, and ambition of conquest, which his predecessor *Numa* had, during his long reign, so industriously extinguished, it conduced indeed much to the aggrandising the *Roman* state, and getting it a name, but not much to the real happiness of its people.

C H A P. V.

A N C U S M A R C I U S.

§. I. *Ancus Marcius, the grandson of Numa, is chosen to succeed Tullus Hostilius. He declares war against the Latines in all the forms prescribed by Numa. He vanquishes the enemy in several battles, and takes many of their towns.* §. II. *He strengthens Rome by new fortifications, and builds Ostia at the mouth of the Tiber. He defeats the Fidenates, Sabines, Veientes and Volsci.* §. III. *He dies, leaving two sons under the tuition of Lucius Tarquinius, a foreigner from Hetruria, who had settled at Rome.*

Ancus
MARCUS
Fourth
King.
D. Hal. p.
160.

D. Hal. B.
3. p. 177,
178.

§. I. **T**HE deceased King being looked upon as a man struck by the Gods, no honours were done to his ashes. After a short *Interregnum*, the People and Senate unanimously chose ^a *Ancus Marcius* (son of *Pompilia*, the daughter of *Numa*) to succeed *Tullus*. The new King began his reign, by endeavouring to restore *Rome* to the condition in which *Numa* had left it; to revive husbandry, and the neglected worship of the Gods. He was ambitious of imitating his grandfather: But he soon found, that his devoting himself wholly to works of peace drew upon him the contempt of the neighbouring nations.

The *Latines* pretending that their treaty with the *Romans* was no longer binding, than while King *Tullus* lived, had committed hostilities in the territory of *Rome*. *Ancus* determined to revenge it; nevertheless out of respect to the laws of *Numa*, he previously observed all the ^b forms appointed by him to be used in declaring war. He then raised an entirely new army, marched to *Politorium*; a *Latine* city, and surprized it. He shed

^a Every *Roman* had ordinarily three, and sometimes four names. The first was called *Prænomen*, the second *Nomen*, the third *Cognomen*, and the fourth *Agnomen*. The *Nomen* shewed the family from which he was descended; the *Prænomen* and *Cognomen* were often nick-names, taken from the circumstances of the person's birth, or his defects,

or his bodily qualities. And the last names were, to some, titles of honour, as those of *Afranius*, *Germanicus*, &c. *Valerius* assures us, that *Ancus Marcius* had his name of *Ancus* from the Greek word ἀνών, because he had a crooked arm. C. & R.

^b These forms were as follow. A *Fecialis* was deputed to go to the *Latines*: he no sooner

Year of
R O M E

ANCUS
MARCIUS
Fourth
King.

* D. Hal.

P. 132.

P. 179.

shed no blood, nor destroyed the city, but transplanted the inhabitants to *Rome*; and these, with the inhabitants of *Tellenæ* and *Ficana*, two other cities of *Latium*, which he likewise took, he settled on the hill *Aventinus**, which he inclosed, and made a part of *Rome*, but without consecrating the boundaries.

The next year the *Latines* repopled *Politorium*, which obliged *Ancus* to besiege it again; and, upon the second reduction of it, he demolished it entirely. After this he led his troops four years successively to the siege of *Medulia*, which he at length took and plundered. *Ficana*, which he had neglected to demolish, he reduced a second time, and now destroyed it. The *Latines*, not discouraged, appeared in the field, but being defeated in one pitched battle, they durst not venture another. They divided their troops into small parties, and contented themselves with making incursions into the *Roman* territory; and *Ancus*, to oppose them, made a like division of his army, which he left to the conduct of *Tarquinius*, (a foreigner lately come from *Hetruria*) and full of glory returned to his Capital.

§. VI. *ROME* was exceedingly enlarged in this Prince's time, for, not content with carrying its walls round the *Aventine* hill, he likewise encompassed the hill *Janiculum*, which stood on the other side of the *Tiber*)

sooner arrived on the borders of that people; but he cried out, *Hear, great Jupiter, hear, ye confines of the Latine nation, let justice hear. I am a publick messenger from the Roman people, I come justly and religiously commissioned; let credit therefore be given to what I say.* After which he laid open his demands; and then, having called *Jupiter* to witness, he added these words: *If I have unjustly, and impiously made these demands; [which were of persons or goods to be delivered up to him] may'st thou never suffer me to return to my own country.* He repeated these words at his entering the *Latine* territory, then to the first person he met, then at the gate of the city, then in the market-place. If in about thirty days his demands were not satisfied, he said, *O Jupiter, Juno, thou Romulus, and all ye Gods of Heaven, of Earth, and of Hell; hearken! I call you all to witness, that the Latines are unjust. We will therefore enter into deliberations at Rome, on the proper means of obliging them to give us just satisfaction.*

No sooner was the *Fecialis* returned, but the King referred the affair to the Senate: which he did in the form prescribed by *Numa*, addressing himself to every particular Senator, in these very words: *Say, what think you of the refusal which the Pater Patratus, and whole nation of the Latines have given to the Pater Patratus of the Romans, of restoring and granting us what we demanded of them? To which every Senator gave this answer: Let*

us again demand our rights by just and lawful war: This is the opinion for which I declare myself. And when the greater part of the Senators had declared their opinions in this manner, the war was considered as unanimously concluded on. Then the *Fecialis* went to the confines of the enemy's country, carrying in his hand a javelin, which was either headed with iron, or burnt at the the end, and dipped in blood. When he came to the territory of the *Latines*, he pronounced the following prescribed form of words, in the presence of at least three persons, not under 14 years of age: *On account of the damages which the ancient Latines have done the Roman people, and in obedience to a decree made by the Senate and People of Rome, importing, that war be declared against the ancient Latines; I, and the Roman People declare it and begin it.* At which words he threw a dart upon the enemy's lands. (*Livy*, B. 1. c. 32.) All this ceremonial had been instituted by *Numa*; though that Prince having never engaged in any war, had never put it in practice: and *Tullus*, who was of an active spirit, had not confined himself to these tedious formalities. But *Ancus Marcius* established the use of them; and from his time they were always practised. And it ought here to be observed, that at this time, no use was made of the King's name or authority in treaties: only the Senate and the People are mentioned.

Livy, B. 1. c. 33. Year of ROME. **ANCUS MARCIUS** Fourth King. With a wall, and made it a sort of citadel for *Rome*; and in order to have a communication between the city and the new citadel, he built the bridge, called *Sublicius*, (the first perhaps known in *Italy*) over the *Tiber*, in that place where it washes the foot of the hill *Aventinus*. To suppress the licentiousness of the people, he next built a prison in the *Roman Forum*. And lastly, observing that *Rome* lay open to surprizes from an enemy, in those places where the country about it was low and flat, he caused a wide ditch to be dug there, which was ever after called *Fossa Quiritium*, because all the people were employed to make it.

When *Ancus* had finished these works of peace, the first enemies that felt the return of his martial disposition were the *Fidenates*, who being rebels, he did not send a *Fecialis* to them, but marched strait to *Fidena*, which he besieged and took by *Sap*; this being the first instance we meet with in *Roman* story of that kind of attack.

He next marched against the *Sabines*, who, since the death of King *Tullus*, believing themselves discharged from the engagements they had entered into with *Rome*, had renewed hostilities. He quickly forced them to sue for peace, and they obtained it on easy terms.

The four following years *Ancus* employed in enlarging the temple of *Jupiter Feretrius*, in building the port and city of *Ostia*, and in digging salt-pits on the sea-shore. The distribution of salt which he made among his subjects at this time gave rise to those publick liberties, called *Cong'dia*, from the word *Congius*, a measure in use among the ancient *Romans*, containing about a gallon.

After this he twice defeated the *Veientes*, and was decreed a triumph by the Senate; and to reward the merit of *Tarquinius*, who had distinguished himself at the head of the *Roman* cavalry, the King promoted him to the rank of a *Patrician*, and Senator. The *Ulfci* were next attacked, and *Velitra*, their capital, besieged by *Ancus*; but the inhabitants, being reduced to extremity, and sending out their old men as suppliants, obtained first a truce, and afterwards a peace. The King of *Rome* then turned his arms against those of the *Sabines*, who had not yet been conquered. Success attended his expedition, and he returned triumphant to *Rome*, where he passed some time in tranquillity.

§. III. *ANCUS*, after a reign of 23 or 24 years, (in which, according to *Livy*, he shewed himself not inferior to any of his predecessors, either in civil or military government) is said by *Plutarch* to have died by violence; but other writers speak of his death as altogether natural. He left two sons, one an infant, the other near fifteen years of age, and both under the guardianship of *Tarquinius*, an able politician, who had found the secret to make himself equally the favourite of his master and of the people.

CHAP. VI.

TARQUINIUS PRISCUS.

§. I. The politick management of *Tarquinius* to obtain the kingdom. He is elected King, and adds to the Senate 100 new Senators chosen out of the Plebeians.

beians. §. II. *The Latines renew the war against the Romans.* Tarquin, by repeated victories over them, reduces them to sue for peace. At his return to Rome, he builds a Circus for the Roman games. §. III. He totally subdues the 12 Lucumonies of *Hetruria*. §. IV. He applies himself to cleanse and beautify Rome. §. V. He renews the war with the Sabines. He increases the number of the Roman Knights. The adventure of Navius the Augur. §. VI. Tarquin subdues the Sabines. §. VII. He marks out the area of a temple to Jupiter, Juno, and Minerva, on the hill Tarpeius, afterwards called the Capitol. He marries one of his daughters to Servius Tullius. §. VIII. The sons of Ancus conspire the death of Tarquin. He is assassinated in his own palace. The stratagem of Queen Tanaquil, to secure the kingdom to her son-in-law, who takes possession of it, without being legally elected to the throne.

§. I. **T**ARQUINIUS was the son of *Damaratus*, a merchant of *Cos*. *D. Hal. B. 3. p. 184.* *ivith*, who, to secure his great wealth from *Cypselus*, the Tyrant of that place, had retired with it to *Tarquinii*, one of the most considerable cities of *Hetruria*. *Liv. B. 1. c. 34.* The Greek merchant married there a woman of distinction, by whom he had two sons, *Arunx* and *Lucumo*. The elder died before his father; and tho' he left his wife with child, yet his father not knowing it, and dying soon after him, left all his wealth to *Lucumo*: So that the posthumous son of *Arunx*, disinherited before he was born, took the melancholy name of *Egerius*, from *egere* TO WANT. *Year of ROME CXXXIX.* *Lucumo*, now in possession of all his father's immense riches, aspired to the highest dignities in *Tarquinii*; and his wife *Tanaquil*, an *Hetrurian*, was no less ambitious than he of his advancement: But he being looked upon as a stranger, this hindered him from rising to any considerable post. At the instigation of his wife therefore he resolved to remove, with all his effects, to *Rome*, where merit never failed of being rewarded with honours. No sooner was he admitted a citizen there, but he endeavoured to appear entirely *Roman*. He changed his names of *Lucumo* *Damaratus*, for those of *Lucius Tarquinius*; artfully insinuated himself into the King's favour; became popular by his liberalities and polite address; and, lest his great wealth should create suspicions of him, offered to deposit it in the publick treasury, to supply the wants of the city. Besides all this, he distinguished himself by his military exploits, (the surest steps to greatness,) and appeared to be no less able in council, than formidable in arms. *TARQUIN I. Fifth King. D. Hal. p. 187.*

Tarquin, as soon as the throne was vacant, turned his thoughts to bring on the election of a new King with the utmost expedition, before the elder of the late King's sons should be full fifteen; and, to keep him out of the sight of the people during the *Comitia*, he sent him a hunting in the country. This aspiring Greek was the first who introduced into *Rome* the custom of soliciting for offices, and openly making interest to obtain them. Nay, he did not scruple to extol his own merit in a publick harangue, and to propose himself to the people for a successor to *Ancus*. As he had already gained them by money and caresses, he was chosen.

Year of
R O M E
CXXXIX.
TARQUIN
I.
Fifth King.

chosen by a majority of votes; and the *Roman* people commanded him (for that was the term then used) to sit down at the helm of affairs. And then to strengthen his party in the *Senate*, he created an hundred new *Senators*, who were called *Senatores Minorum Gentium*, because chosen out of *Plebeian* families. But this name was never authorized by any publick act. They had the same authority in the *Senate* as the other *Senators*, and their children were deemed *Patricians*.

§. II. ALMOST all the nations subdued by the *Romans*, pretending that their treaties with them were no longer binding than during the lives of those *Princes* by whom they had been subdued, *Tarquin* had inevitable wars to sustain. The *Latines* were the first who attacked him, but not the whole nation of them jointly. *Tarquin* besieged *Apiolæ*, took it by stratagem, and sold the inhabitants for slaves. The *Crustumini*, who had revolted, repented and submitted; the King treated them mildly, but settled a *Roman* colony among them. *Nomentum* likewise experienced the clemency of *Tarquin* upon its submission. *Collatia* being more obstinate, the King, after its reduction, disarmed, and taxed the inhabitants, and placed a garrison there to keep it in subjection. He gave the sovereignty of this city to *Egerius*, his brother *Arunc's* son, who from thence took the name of *Collatinus*, which he transmitted to his posterity. *Corniculum* was besieged next, and after a brave resistance, was carried by assault, and reduced to ashes.

The fate of these cities induced several others to unite their forces to oppose the King's progress: But he defeated these forces in a bloody battle near *Fidene*; and then, taking advantage of the terror his victories occasioned, solicited those cities to enter into alliance with him; to which some of them consented, chusing rather to submit to a sort of dependance upon *Rome*, than to run the hazard of being reduced to a state of slavery. This submission so alarmed the rest of *Latium*, that, in a national assembly held at *Ferentinum*, they came to a resolution to employ their whole strength to oppose the torrent that threatened them; and they engaged all *Sabinia*, and a part of *Hetruria* to join with them. In two actions the King vanquished these confederate armies; and then those *Latine* cities which had refused his alliance, sued for it and obtained it.

Tarquin at his return to *Rome* after so many victories, had the honour of a triumph, and he applied the wealth he had brought from the conquered cities to the building a *Circus* * for the *Roman Games*, otherwise

* *Tarquin* was of a *Greek* family: and this led him to think of building a *Circus* at *Rome*, in imitation of the chief cities of *Greece*. The first *Circus* which was ever built, and was a pattern to all the rest, was in *Elis*, where the *Olympick* games were celebrated.

It is certain the *Roman* games were also called, *The great Games*: *Livy* (B. 1. c. 35.) assures us of it. Nevertheless, we must not from thence conclude, that all the sports which were

celebrated in the *Circus*, and which were called *Circenses*, were the great games. Some were celebrated in the *Circus*, to *Ceres*, *Apollo*, &c. which were different from the great or *Roman* games: Nor were those called *Megalenses*, the same with the great games. The former were celebrated before the *Nones* of *April*, and the latter on the eve of the *Nones* of *September*. Besides, the *Roman* games were instituted in honour of the great Gods, whence they were called

wife called the *Great Games*. The place chosen for this *Circus*, was in the valley which reached from the *Aventine* to the *Palatine* hill.

§. III. THE long war which, this King waged with the *Hetrurians*, and the signal victories he gained over them, greatly advanced his glory, and both enabled and inclined him to introduce magnificence into his Court. *Hetruria* was a very large country, extending itself from the *Tyrrhenian* sea to the *Apennine* hills, and from *Liguria* to the *Tiber*. The *Latines* called the inhabitants of it sometimes *Tuscans*, and sometimes *Hetrurians*; but the *Greeks* more frequently, *Tyrrhenians*; who, possessing so much of the south coast of *Italy*, gave their name to the sea, which washes it. This great state was divided into twelve cantons called *Lucumonies*^b, which were subject to twelve heads, who governed them with a sort of sovereign authority, under the name of *Lucumonies*. Sometimes one *Lucumony* made war by itself; at other times the *Hetrurians* all joined in a national body, in defence of their common interests.

Tarquin having gained some advantages over certain of the *Hetrurian Lucumonies*, this awakened the jealousy of the whole nation. Besides, they had reason to complain of a want of justice in the King of *Rome*, who had not only refused audience to the Ambassadors they had sent to him with a reasonable demand, but had detained them as so many hostages for the obedience of the *Hetrurians*. The twelve *Lucumonies*, therefore, came to a resolution to make war upon the *Romans*; and it was decreed, that if any city of *Hetruria* stood neuter, it should be for ever cut off from the general alliance. They took the field, made themselves masters

called the *great games*; and the *Megalenses* only in honour of *Cybele*. Lastly, the *great games* were instituted by the elder *Tarquin*; and the *Megalenses*, not till *Junius Bruti*'s time, who appointed them to the honour of *Cybele*, then called *μεγαλήσια*, or the *Great Goddess*.

At one end of the *Circus* stood the posts round which the chariots were obliged to turn; at the opposite end the chariots started, and on each side of the *Circus* the spectators sat in two great galleries. It is certain, that the end where the turning posts stood, described a portion of a circle: and it is probable the opposite end where the chariots started, was semi-circular: But this is not absolutely certain.

Dion. Hal. plainly tells us, that this *Circus* was three *Stadia* and a half long and four *Jugera* broad: and that 15000 men could sit in it at their ease: but *Pliny* makes it only three *Stadia* long. He probably omitted the half *Stadium*, mentioned by the *Greek* historian, for the sake of a round number. Nothing therefore remains, but to compute how long and wide the *Circus* was, according to our measures. Now *Pliny* tells us, B. 1. c. 3. the length both of the *Roman Stadium* and *Juge-*

rum. The former, according to him, contained six hundred twenty-five *Roman* feet, each of which feet contained twelve inches, or sixteen fingers breadth: so that consequently the *Circus*, as it was three *Stadia* and an half, must have been two thousand one hundred and eighty-seven *Roman* feet long. And it being four *Jugera* broad, each of which *Jugera* contained, according to him, two hundred and forty *Roman* feet; it is from thence easy to infer, that the *Circus* was nine hundred sixty *Roman* feet broad, and consequently was above twice as long as it was wide. So that the length of the *Circus* was somewhat more than three *English* furlongs, very near half an *Italian* mile, or about a quarter of a *French* league. C. & R.

^b The names of the capital cities of the twelve *Lucumonies* were, according to *Cluverius* and *Livius*, *Clusum*, *Perusia*, *Cotona*, *Arrim*, *Volaterra*, *Vetulonia*, *Rusilla*, *Torquati*, *Volturn*, *Cave*, *Falerii*, and *Fu*. *Hetruria* was long the mother of all the learning and politeness of the *Romans*: they sent their children thither to cultivate their minds, till the conquest of *Greece* furnished them with a better school. C. & R.

YOUNG OF
ROME

TARQUIN

I
Fifth King

of *Fidenæ* by the treachery of some of the inhabitants, and ravaged the Roman territory. *Tarquin*, not being prepared, suffered them to go on without opposition till the next year, when he had put himself into a better condition to engage with them. He then divided his army into two bodies; the *Romans* he commanded himself, and gave the command of the allies to his cousin *Collatinus*. The latter by his ill conduct suffered a defeat. But the King routed the *Ilturnians*, first near *Vulturnum*, and then under the walls of *Cere*.

D III p
124

Lutina being a key to the dominions of *Rome*, the conquest of it was of the utmost importance to her. The *Romans* therefore bent their forces that way, and after defeating the Enemy in a sharp engagement besieged the place, and took it. All those of the *Lutians* who had been concerned in betraying it to the enemy, were first whipped and then killed; the rest were sent into banishment, and their lands distributed by lot among the *Roman* soldiers. Then *Tarquin* hastened to attack the *Lutians* once more, before the whole strength of the new army they were raising could be got together. He came up with them near *Lutina*, a small city of the *Salines*, and gave them an entire overthrow; for which the Senate decreed him a triumph. And now the *Lutians* desisting of any future success against the *Romans*, sent an humble deputation to ask peace; which *Tarquin* granted without insisting on any other condition than their owning his sovereignty over them. To this they readily agreed, and sent him all the ensigns of authority they had among them: a crown of gold; a throne of ivory; a scepter with an eagle on the top of it; a tunick embroidered with gold and adorned with the figures of palm branches; and a purple robe enriched with flowers of various colours. But the King deterr'd the making use of these stately ornaments, till the People and Senate had consented to it by an express decree: He then employed them in the decoration of his triumph, and never after laid them aside. In this triumph he rode in a gilt chariot drawn by four horses.

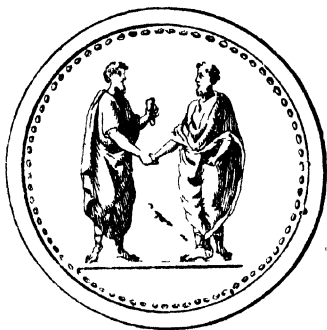
p. 195.

p 196.

§. IV. HAVING now an interval of rest from his wars, he turned his thoughts to the fortifying, cleansing, and beautifying the city. He undertook to build the walls of *Rome* of hewn stone, and drained the low grounds about

^b This the *Latines* called *Tunica palmata*. It is true, authors sometimes confound it with what they call *Toga picta*: but these were two different ornaments, worn by those who triumphed; and it is necessary to shew here the difference between them. The *Tunica palmata* was not, properly speaking, a long hanging robe, but rather a vest, which was partly hid under the robe. It at first had no sleeves, and afterwards but very short ones. As all the *Romans* wore *Tunicks*, they shew'd the difference of their rank, by that of their *Tunicks*. Some sewed upon theirs purple flowers, which were stuck on like the heads

of nails; and hence comes the word *Laticlavum*. Only the chief Magistrates and Senators, and general officers of the army, could wear these. The inferior Magistrates, the *Roman* Knights, and some other officers in the army, wore indeed *Tunicks* with purple flowers; but these flowers were smaller than the others: and from hence comes the name *Angust clavum*. As for those who triumphed, of whom we are now speaking, they, instead of embroidered flowers, wore purple *Palm Branches* upon their tunicks, thence called *Tunica Palmata*. The *Toga picta*, some think, was a robe common among the *Romans*, only of



Romans in the Toga

about the *Forum*, and between the hills, in order to the making those *common-sewers**, which when made by the second *Tarquin*, were among the wonders of the world. He likewise adorned the *Forum*, surrounded it with galleries, made shops in it for bankers and money-changers, erected temples, schools for the youth of both sexes, and halls for the administration of publick justice.

p. 200,
201.
Year of
R O M E
TARQUIN
I.
Fifth King.

§. V. *TARQUIN* after some time spent in these works of peace, entered into a new war with the *Sabines*, on pretence of their having assisted the *Hetrurians*; and he came to a battle with them, which lasted the whole day. The advantage was so equal on both sides, that the two armies stood in awe of each other, and retired into their respective countries, without committing any further hostilities the rest of the campaign. During this cessation of arms, *Tarquin*, considering that he had often been hindered from sufficiently pursuing the advantages of a victory, for want of horse, resolved to add some new bodies of Knights to those of the first institution: But as the first division of the horse into three *corps*, had been determined by *Auguries*, *Attius Navius*, the most famous Augur of that time, opposed the King's design as irreligious. *Tarquin* could not persuade himself that the Augur was serious in this opposition, and therefore sent for the diviner into his presence, being resolved to confound and discredit, in him, that divining art, which superstition maintained to the diminution of the Royal Authority.

D. Hal B.
3. P. 196.

As soon as *Navius* appeared before *Tarquin*, in the midst of the *Forum*, and in the sight of all the people, the King said to him, *Diviner, canst thou discover by thy art, whether what I am thinking of can be done, or not? Go and consult thy birds.* The *Augur* did as he was ordered, and returning quickly, answered, *Yes, Tarquin, my art tells me, that what you are thinking of may be done.* Upon which *Tarquin*, pulling out a razor from under his robe, and taking a flint in his hand, replied with a contemptuous smile, *I was thinking whether it were possible to cut this flint with this razor. I have taken thee in thy own craft; the introducing the Gods*

Livy, B. 1.
c. 36.
D. Hal. B.
3. p. 203.
and Florus.

of a purple colour: And as to the robe in general, it was nothing but a sort of very long mantle, which hung in great folds quite down to the ground, and which they put on upon their right shoulders, throwing one lappet of it over the left. The robes of the Senators were adorned with great purple flowers, as well as the *Tunicks*; and those of the Knights with smaller. And the *Robes* of those who triumphed were likewise probably adorned with palm-branches, as their *Tunicks* were. At least, it is certain they were made of rich stuffs, and had some gold in them; and they were called *Togæ pictæ*. Only two persons ever had the privilege of wearing them out of a triumph, and in common, *Paulus Æmilius* and *Pompey*. C. & R.

* All the arches of these common-sewers were of hard stone, and neither expence

nor labour was spared to make the work durable. Their height and breadth were so considerable, that a cart loaded with hay could easily pass thro' them. But the greatest difficulty of the work was, to convey the waters (which through these sewers were to carry off the filth) into the *Tiber*. It was necessary to cut through hills, and under the city, through rocks, a channel large enough for a navigable stream, and covered with arches strong enough to bear the weight of houses, which were often built upon them, and stood as firm as on the most solid foundations. The expence of this incomparable work was never so well understood as when it came to be repaired. The *Censors* gave no less than a thousand *Talents* to him who undertook to cleanse these sewers. C. & R.

Year of
ROME

TARQUIN
I.

Fifth King.

into thy decisions is all cheat and imposture. If thou canst perform what is impossible, do. At these words the people burst out into laughter, while *Navius* alone discovered no emotion. He addressed himself to the King with an air of assurance, and said, ^a Put the razor to the flint, and try; I readily submit to any punishment, if what you thought of be not done. Upon trial, the razor passed through the flint so easily, and so suddenly, that *Tarquin* having given more force to it than was necessary, it wounded and drew blood from his hand. The people hereupon gave a great shout, the King's contempt for the *Augur* turned into admiration, and, from this time, the augural science had a higher degree of credit in *Rome* than ever before.

D. Hal. p. 204. (*Tarquin* afterwards erected a statue of brass to the memory of *Navius*, in the place called *Comitium*, where the publick assemblies were held; and there it continued till the time of *Augustus*.^b The razor and flint, kept as monuments of the miracle, were deposited near the statue^b, under an altar, at which they swore witnesses in civil causes.)

But tho' *Tarquin* laid aside his project of increasing the number of the *Corps* of horse, he increased the number of the Knights in each *Corps*, making the *Roman* cavalry amount in all to 1800 men.

§. VI. WITH this reinforcement the King marched out to renew the war with the *Sabines*, who had got succours from *Ustruria*, and *Ætolia*. D. Hal. p. 191, 192. encamped near *Fidenæ*, by the place where the *Anio* joins the *Tiber*. The *Ætrurians*, posted on one bank of the *Tiber*, and the *Sabines*, on the Livy, c. 37. other, had a communication by a bridge of boats. *Tarquin*, who had pitched his camp upon the *Anio*, at a little distance from the place where it discharges itself into the *Tiber*, perceived, that the current of that little river would carry into the *Tiber* any thing, which was sent down it; and that if the same wind, which then blew, continued, it would, with a little help, carry barks up the *Tiber* against the stream, and bring them to the enemy's bridge. With this view, he built flat-bottom boats, like rafts, and loaded them with dry wood, sulphur and rosin: and in the night, while the wind continued favourable to his design, he sent these fire-ships some down the *Anio*, and others up the *Tiber*, at the same time; so that the bridge, being thus invested on both sides with fire, was quickly all in a flame. The *Sabines* ran instantly to extinguish it; and, as is very frequent on such unforeseen and sudden accidents, left their camp unguarded. *Tarquin*, who, to attack it, had, with the best part of his forces, marched out of his intrenchments while it was yet dark, was by break of day master of it. On the other bank, a detachment, which by his order had passed the *Tiber* in the night, fell suddenly upon the

^a *Livy* says, *Navius* took the flint into his own hands, and cut it, in *Tarquin's* presence.

^b The reader will no doubt think it strange, that an event related with so many circumstances, reported by all the writers of the *Roman* History, and adopted even by some of the Fathers of the church, who without questioning it, imputed it to magick,

should be a mere fabulous invention: and yet this is the judgment which *Tully* himself formed of it, tho' an *Augur*. Look with contempt, says he to his brother *Quintus*, look with contempt on the razor and flint of the famous *Attius*; when we reason as philosophers, we ought to lay no stress upon fables. Cic. B. 1. de Div. C. & R,

camp

camp of the *Hetrurians*, in the instant that the bridge of boats took fire, which was the signal the King had given. The enemy, disconcerted and routed on both sides of the river, perished, some of them by the flames, others by the sword, and others by leaping into the *Tiber*, to save themselves; and their arms which floated down the stream, carried the news of the story to *Rome*, before the couriers, dispatched by the King, arrived there.

Year of
R O M E
TARQUIN
I.
Fifth King.

After this, *Tarquin* would give his enemies no rest, but immediately entered the territory of the *Sabines*; whose misfortunes had not yet abated their courage. They ventured to face the *Romans*, with an army tumultuously assembled. Being once more routed, they sued for peace, but the King did not think fit to grant them more than a truce.

This truce was no sooner expired, than the *Sabines* passed the *Anio*, and made incursions on the territory of *Rome*; but tho' they were equal in numbers and bravery to the *Romans*, *Tarquin*, in a pitched battle, defeated them by the stratagem of detaching a body of horse, which fetched a compass and came upon their rear during the action. The *Sabines* imputing their ill success to the incapacity of their General, chose a more experienced Commander for the next campaign. The King of *Rome* appeared early in the field, and shewed himself to the enemy: and when he found that their new General, not having got together all his troops, avoided a battle, and kept within his camp, he blockaded him there, and reduced him to the utmost extremity for want of provisions: however, the latter, taking the advantage of a dark stormy night, marched his army secretly out of his intrenchments, and stole off; and thus the campaign ended.

D. H. p.
197.

The next year, the *Sabines*, pleased with the conduct of their General, took courage again, enlisted all their youth capable of bearing arms, and formed a numerous army, which they divided into two bodies. *Tarquin* on the other side augmented his forces with troops from *Latium*, *Hetruria*, and all his allies, and divided them into three armies, which were always to encamp near each other. He commanded the *Romans* himself, put his nephew *Collatinus* at the head of the *Hetrurians*, and gave the command of the *Latines* and other allies to *Servius Tullius*, a foreigner who had been a slave, and had since obtained the privileges of a *Roman* citizen. The battle lasted the whole day; and *Tarquin* obtained the victory; but not till he had inspired his men with fresh courage, by making a vow to *Jupiter*, *Juno*, and *Minerva*, to build them a magnificent temple. While he was marching afterwards to besiege the *Sabine* cities, they sent Deputies to him to sue for peace, offering to give him possession of their fortified places, and of all their country, if he would grant them tolerable conditions. He treated them favourably, as he had done the *Hetrurians*; and then returning to *Rome*, entered it in triumph, and with the same pomp as after the conquest of *Hetruria*.

p. 199.

§. VII. THE victorious King did not forget his vow to build a temple to *Jupiter*, *Juno*, and *Minerva*. He levelled the top of the hill *Tarpeius* (formerly *Saturnus*) marked out the plan of the temple, and laid the foundations

p. 201.

Year of
R O M E
TARQUIN
I.
Fifth King.
p. 202.

dations of it. *Navius* the *Augur*, having been consulted about what part of *Rome* *Jupiter* would like best to be placed in, had declared for the hill *Tarpeius*: but then a difficulty arose about removing the Gods, who had already got possession of this hill, without giving them offence. By the help of *Augury*, it was discovered, that they were all willing to be removed, except the God ^a *Terminus*, and the Goddess *Youth*, who having no mind to go, were afterwards inclosed within the walls of the temple, the *Area* of which was now dedicated by *Navius*.

D. Hal. p.
205.

This famous *Augur* soon after disappeared. He was supposed to be murdered; and the people were very inquisitive after the authors of his death. The sons of *Ancus Marcius* endeavoured to fix the calumny upon the King, and accused him publickly. *Tarquin* attempted in vain to appease the tumult which they excited; *Servius Tullus*, the King's son-in-law, and the most popular man in *Rome*, was obliged to employ all his credit to quiet the rage of the people. At length the falseness of the accusation being known, the sons of *Ancus* were detested for having raised the slander. However, *Tarquin* pardoned them, in consideration of the favours he had received from their father.

p. 200.

He was more severe to *Pinaria*, a prostitute *Vestal*. He caused her to be buried alive, and the man who had dishonoured her, to be whipped to death. Nevertheless, he did not lose his esteem for the class of *Vestals*; on the contrary, he added two to their number, augmenting it to six.

p. 204.

§: VIII. *TARQUIN* being now eighty years old (of which he had reigned 37) and drawing near his end, the ambition of the sons of *Ancus* grew more active. They always remembered with indignation the arts by which their guardian had secured to himself their father's kingdom, nor could they brook to see a foreigner sit upon the *Roman* throne to their prejudice: But when they perceived that the kingdom was not likely to pass to them, even after the death of *Tarquin*, but that *Servius Tullius* would probably succeed his father-in-law, they no longer set any bounds to their resentment. What! said they, while we the sons of *Ancus Marcius*, are living, shall the *Roman* throne lie open, not only to strangers, but even to slaves? Nevertheless, they bent their fury rather against the life of *Tarquin* than of *Servius*, both because the revenge of a King was more to be dreaded than that of a private man, and because, should they destroy *Servius*, *Tarquin* might provide himself another son-in-law to succeed him.

D. Hal. p.
205, 206.

The method they took to compass the death of the old King was this: They hired two young men who dressed themselves like peasants, with hatchets on their shoulders, as if they were wood-cleavers: These going near the King's palace pretended to have a quarrel about some goats. The noise they made reaching the inmost rooms of the palace brought the officers of the Court about them, who carried them before the King, to whom they both appealed. At first they began to bawl and rail at each other till they were restrained by a *Lictor*, and ordered to speak by turns. Then one of them began to tell his story, and while the King was wholly

^a *Livy*, B. 1. c. 55. places this Fact of the unwillingness of *TERMINUS* to remove, in the reign of *Tarquin* the proud.

Year of
R O M E
CLXXIV.
TARQUIN
I.
Fifth King.

attentive to it, the other lifting up his hatchet gave him a great cut in the head; after which, leaving his weapon in the wound, he instantly ran out of doors with his fellow. But, while some of the company hastened to assist the wounded King, others pursued the ruffians and seized them; and being put to the torture, they confessed by whom they had been employed. By this time there was a great concourse of people at the palace wondering at the attempt, and curious to know the event.

Queen *Tanaquil* did not lose her presence of mind on this occasion. She cleared the palace of the crowd, shut herself up in the apartment of the expiring King, with only her son-in-law, *Servius Tullius*, his wife, and *Ocrisia* his mother, and pressed him to ascend the throne, that *Tarquin's* two grandsons^a might be safe under his protection: *Servius*, if thou art a man, the kingdom is thine, and not theirs who have committed the greatest villainy by the hands of other men. Take courage then, and follow the Gods thy conductors, who foretold thy future glory by the divine^b fire which shone round thy head. Let that celestial flame now warm thee. Rouze thyself in earnest. We who were strangers have reigned here. Think who thou art, not of whom thou wast born; and if thy counsels are at a stand by reason of this unexpected accident, follow mine. She then opened the window which looked upon the street, and bid the people be in no concern; she told them that the wound was not deep, that the King was stunned with the sudden blow, but was come to himself again, and she hoped they would see him very shortly; that in the mean time he ordered them to obey *Servius Tullius*, who would administer justice to them, and perform all other Kingly Offices. This stratagem succeeded. The report, that the King would soon be well again, and appear in publick, being spread and believed, this so terrified the sons of *Ancus*, that they went of their own accord into banishment to *Suessa Pometia*.

The second day after the murder of *Tarquin*, *Servius Tullius*, attended by the *Litōrs*, sat on the throne in the royal robes, and heard causes; some he decided, and upon others he pretended he would consult the King. As it became him to revenge the attempt against the person of his Sovereign, he accordingly cited the sons of *Ancus* to appear before his tribunal; and upon their non-appearance, they were declared infamous, and their estates confiscated. The Regent continued for some time to act this part, and so managed his affairs as to gain the hearts of the *Romans*, by his prudent administration. At length, when he thought his authority sufficiently established, the death of *Tarquin* was proclaimed as a thing recent, with loud lamentations, and *Servius* performed magnificent obsequies for him: after which, without being legally elected King, either by^c Senate or People, he continued to hold the reins of Government, appearing in publick with a strong guard, and with all the ensigns of royalty.

^a It is much contested whether the children here spoken of, *Lucius Tarquinius* and *Aruncus*, were the sons or grandsons of *Tarquinius Priscus*. *Dion. Hal.* contends warmly for the latter opinion.

^b A report had been carefully propagated,

that when *Servius* was a child, and asleep, a sudden light or flame, in form of a crown, encompassed and rested upon his head.

^c *Livy* says, that *Servius Tullius* took possession of the kingdom with the consent of the *Fathers*.

C H A P. VII.

SERVIUS TULLIUS.

§. I. *The Birth and Education of Servius Tullius. The honours he pays to the Goddess Fortune upon his elevation to the Throne.* § II. *The Patricians conspire to dispossess him. He gains the people to his interest, is legally elected King by the Curiae, and though the Senate refuses to confirm this election, keeps possession.* §. III. *Servius defeats the rebellious Hetrurians. He enlarges Rome, and adds a fourth Tribe to the three old ones. He institutes the Compitalia in favour of slaves. He divides the Roman territory with its inhabitants into TRIBES. He marries his two daughters to Lucius Tarquinius and Aruns, the grandsons of the late King. He subdues the Hetrurians.* § IV. *Servius divides the Roman citizens into six CLASSES, and these into CENTURIES. He institutes the CENSUS and the LÜSTRUM, and coins money.* §. V. *He gives the LIBERTI or Freed-men the privilege of Roman Citizens.* §. VI. *He reforms the Regal Power, and executes a scheme for securing to the Romans the fidelity and friendship of the Latines and Sabines.* §. VII. *The wicked intrigues of Tarquin and the younger Tullia. Tarquin accuses the King of usurpation before the Senate. Servius pleads his cause there, but appeals to the People, and is by them confirmed on the throne.* §. VIII. *Tarquin regains the King's favour by submissions, but soon after causes him to be murdered, and usurps the kingdom.*

Year of
R O M E
CLXXV
to
CCXIX.

SERVIUS
TULLIUS
Sixth
King.
D. Hal. B.
4. p. 206.

Plut. de
Fort.
Rom. p.
323.
D. Hal. B.
4. p. 207.

§. I. **SERVIUS** Tullius, the sixth King of Rome, was the son of *Ocrisia*, a woman of extraordinary beauty and distinguished virtue, taken captive at the sacking of *Corniculum*: but who his father was is uncertain. *Dionysius* reports that one *Tullius*, a warrior of royal extraction, and killed in the defence of that city, was the husband of *Ocrisia*, and at his death left his wife with child of this son. *Tarquin* made a present of the fair captive to Queen *Tanaquil*, who being soon after apprized of her quality and merit, conceived a particular esteem for her and restored her to freedom. Nevertheless, *Ocrisia's* son, being born while she was yet in a state of *servitude*, had thence the name of *Servius*. This is *Dionysius's* account. But *Plutarch* will have *Ocrisia* to have been a virgin at the time of her falling into captivity, and to have afterwards married one of the King's clients, by whom she had *Servius Tullius*. Nor have there been wanting writers who have given this Prince a divine origin, and made him the son of *Vulcan*, a fable which probably owed its rise to another fable, reported for truth by *Tanaquil* and *Ocrisia*, of a sudden flame, in form of a crown, which surrounded the head of *Servius* when he was a child and asleep.

From such different accounts, as also from the silence of the Capitoline marbles on this head, 'tis pretty certain that nothing was less known to the historians

historians than the true ^a descent of *Servius*. In these things however they all agree, That King *Tarquin* and his Queen had the same tenderness for the son of *Ocrisia* as if he had been their own offspring, and took the same care of his education; and that, nevertheless, it was chiefly to his own wife, noble, and uniform conduct that he owed his gradual elevation to the highest step of honour.

Servius Tullius distinguished himself by his military achievements, even before he was arrived to the age of manhood. The reputation of a brave warrior, which he then acquired, increased as he advanced in years; and this, with his amiable polite manners, his eloquence, and his extraordinary ability in council, so gained him the esteem and affection of the people, that with unanimous approbation he was raised to the rank of a Patrician and to a place in the Senate. The King and Queen nevertheless did not originally intend him the honour of an alliance with the Royal Family. They married him to *Gegania* a Roman lady of illustrious birth; and it was only after her death that they first thought of giving him their daughter *Tarquinius*: but after this alliance the King reposed an entire confidence in him for the management both of his domestick concerns, and the affairs of the publick; in which latter *Servius* acquitted himself so well, that the people were quite indifferent whether they were governed by him or *Tarquin*; and this it was that made it so easy for him to seat himself on the throne upon the death of his father-in-law.

As *Servius*, notwithstanding his superior merit, looked upon himself to be wholly indebted to *Fortune* for his grandeur, the first homage he paid after he was King, was to this Goddess; and he erected an incredible number of altars and temples to her, styling her by various epithets: And being resolved to make the peaceful *Numa* his pattern, and aspire to fame by establishing as much order in the civil polity of *Rome* as that wise Prince had done in the religious, he, like him, pretended to have private conversations with a Goddess, and *Fortune* was his *Egeria*.

§. II. BUT how much soever *Servius* had been favoured by his Goddess in possessing himself of the government, the beginning of his reign was not without disturbances. The *Patricians* especially were much dissatisfied with the little respect he had shewn to the ancient usages, upon the demise of a King. He had ascended the throne without being elected to it, and only as a Regent; there had been no *Interregnum* as formerly. Complaints of these things were first dropp'd in private assemblies, but soon improved into almost a general conspiracy; and the Senators agreed among themselves, that the first time they met, they would force the King to lay aside his royalty. *Servius*, in this emergency, applied himself to gain the people, and employ their power against that of the *Patricians*. Among his other natural endowments, he had a ready and lively eloquence, proper to make impressions on a multitude. When therefore he had convened

^a Father *Catrou* thinks it strange that none of the historians have made *Tarquin* himself the Father of *Servius*; but would it not have been more strange if any of them had, since *Tarquin* thought fit to marry him to one of his daughters?

Year of
R O M E

SERVIVS
TULLIVS
Sixth
King.

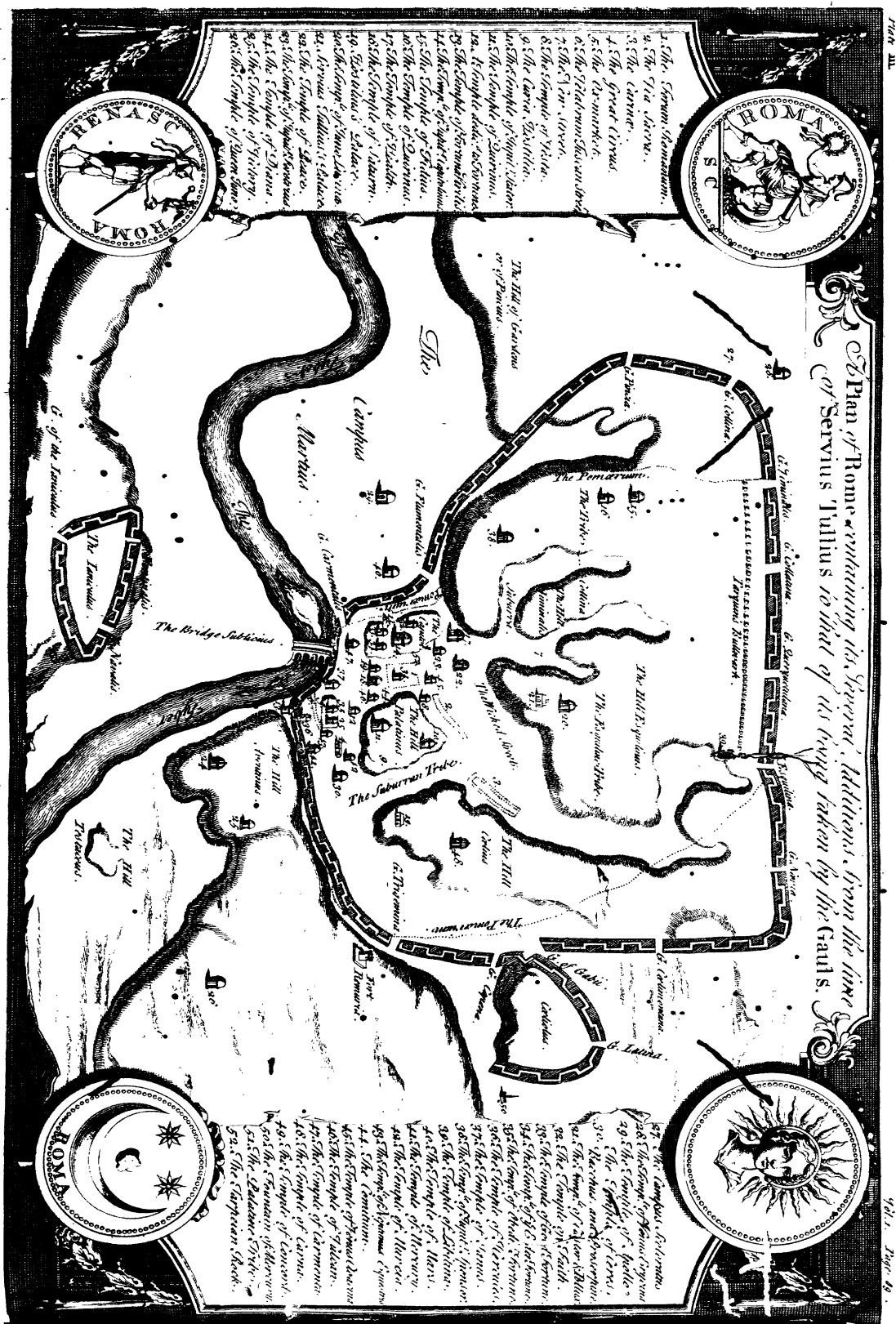
the People, having with him the two grandsons of the late King, one on each hand, he made a speech to the assembly to this effect: *See here, illustrious Romans, the tender offspring of one of your greatest Kings. The bare sight of them will bring to your remembrance the virtues and victories of their grandfather. A melancholy death and cruel parricide robbed you of him, and left his posterity exposed to the artifices and fury of his assassins. I alone received a charge from the dying King to protect these helple's children in their infancy: and to this I found myself pre engaged, both by the alliance I had made in Tarquin's family, and by the favours heaped on me by that generous Prince. Be you, Romans, their joint guardians; and whatever gratitude you owe me for the services I have formerly done you, which I need not remind you of, let it all be transferred to these my pupils. But why should I employ many words with you in their favour? You know what is fit to be done, and will do it. I shall now only tell you the benefits I have resolved to procure for you; and it was for this reason I called you together. You shall no longer be the slaves of your creditors, nor bear the chief burthen of the publick taxes. I will provide remedies for both these evils. It is not just, that the lands which are conquered at the expence of your toils and blood, should be distributed only among the most audacious of the great; whilst you continue without a foot of land of your own, and are obliged to cultivate the estates of others for hire. You have long enough borne the contemptuous usage of the Patricians who hardly look upon you as freemen, because you are poor. I will never rest till I have established you in perfect liberty. Nor was this harangue of the King mere empty words: for a few days after he commanded all the insolvent debtors to send him an account of their debts, and the names of their creditors; and then causing computing-houses to be opened in the Roman Forum, he there paid all with his own money. He likewise published an edict, commanding all such as had usurped any lands belonging to the publick, to quit them at an appointed time; and ordered those of the citizens, who had no land of their own, to petition for them. And, lastly, he made some new laws, which retrenched certain pretended privileges, made use of by the Patricians, in their law-suits with the Plebeians, to vex and oppress them.*

D. Hal. B.
4. p. 216.

p. 245.

But though the inclinations of *Servius Tullius* led him more to works of peace, and civil government, than to military exploits, he found himself obliged to embark in a war. It proved a very long one, but brought much glory both to the Roman people, and to their King. The *Veientes*, whom *Tarquin* had often subdued, refused now to recognize the Sovereignty of Rome, and had lately treated with scorn some ambassadors sent from thence to claim their submission. *We entered*, said they, *into no treaty with the son of a slave; nor will we ever submit to Servius's dominion. Tarquin is dead, and our obligations to be subject to the Romans are dead with him.*

This confidence of the *Veientes* proceeded partly from the hopes they had of profiting by the dissensions between the King and Senate of Rome. They therefore prepared for war, and drew two other *Lacumonies*, viz.



those of *Cære* and *Tarquinius*, into their party. But *Servius*, by his courage and conduct subdued these confederates, and, judging it proper to make them examples of severity, because they had been the aggressors, he deprived them of their lands, and transferred the property of them to such of the new citizens of *Rome*, as had yet no lands of their own: After which, supported by his own glory and the favour of the people, he obtained the honours of a *Triumph*, in spite of the hatred of the Senate.

Year of
ROME.
SERVIUS
TULLIUS
Sixth
King.
D. Hal. B.
4. P. 231

The Senators now finding the People entirely well affected to the King, suppressed their complaints, lest if they insisted on an *Interregnum*, it should occasion a legal election of *Servius* by the *Curie*. This Prince had too much penetration not to see into the mystery of their policy, and therefore resolved to make advantage of the present favour of the multitude, to render his title to the throne less disputable. He assembled the citizens, and, in a moving speech, which drew tears from their eyes, complained of a design formed by the *Patricians* to take away his life, and to bring back the sons of *Ancus*. And this, said he, for no other reason but the kindness I have shewn to the *Plebeians*. In the conclusion of this harangue, he left the kingdom absolutely to their disposal, and begged them to determine between him and his pupils on one side, and their competitors on the other. If you give sentence against us, these children, with the rest of *Tarquin's* family and blood, shall immediately leave the city. As for me, I have lived long enough for the views of virtue and glory: nor when I have once lost the hearts of you, my people, which I value above all things else, will I consent to drag on an ignominious life among strangers. Take then these fasces, and if you so think fit, give them to the *Patricians*; I will trouble you no more with my presence. As he ended these words he stepped down hastily from the *Tribunal*, in order to leave the assembly; but they called to him to stay, intreated him to be their King, and even used violence to stop him. Some cried out, Let the *Curie* be assembled, that we may elect *Servius* without delay. Accordingly a day was appointed; and, when the day came, he was chosen King. However the Senate could never be brought to confirm this election; and their faction was so formidable, that *Servius* deliberated with himself, whether he should not renounce the dignity conferred on him by the people: but imparting his perplexities to *Tanaquil*, she encouraged him, and even took an oath of him, whereby he engaged himself not to resign the kingdom. This magnanimous Queen died soon after; and the King, to immortalize her domestick virtues, the true glory of a woman, hung up her distaff in the temple of *Hercules*.

Plut. de
Fort.
Rom.

§. III. AS *Servius* was now resolved to continue on the throne, the *Ætrurians* furnished him with an opportunity to augment his glory. His victory over them obtained him the honour of a second *Triumph*. An interval of rest after this war he dedicated to the enlarging and adorning the city. *Romulus* had inclosed at first only the hill *Palatinus*, and afterwards added the hill *Tarpeius*; to these *Numa* joined the *Quirinalis*: *Tullus Hostilius* took in the hill *Cælius*; *Ancus Marcius* inclosed mount

Year of
R O M E

SERVIUS
TULLIUS
Sixth
King.

• D. Hal.
B. 4. P.
218.
p. 220.

Aventine and joined the *Janiculum* to the city by a wooden bridge; *Tarquinius Priscus* only built the walls of *Rome* of hewn stone, without enlarging its bounds; but *Servius* * inclosed within its limits the hills *Esquilinus* and *Viminalis*, on the first of which he fixed his own palace, in order to draw inhabitants thither; and he added a fourth tribe to the ^a three of *Romulus*'s division, and called it *Tribus Esquilina*.

This King, in order to have an exact register of the inhabitants of *Rome*, obliged every one to stay in the *Tribe* wherein he was born; and he likewise made a law, That a piece of money should, upon every death, be paid into the temple of the Goddess *Eibitina*, who presided over funerals; another into the temple of *Juno Licina*, upon every birth; and another into the temple of *Youth*, as soon as any person was past the state of childhood. By this means it became easy to know the number of the *Roman* citizens, and who of them were able to bear arms.

p. 219.

It was partly perhaps to do honour to his first condition, that *Servius* made an institution in favour of slaves. He erected little wooden oratories in all the cross-ways, dedicated to the *Dii Compitales*, or Gods of the cross-ways, and commanded that slaves only should be priests to these Gods. They had their particular festival, on which masters gave the slaves rest from all labour.

p. 220.

To establish equal order throughout the *Roman* state, *Servius* disposed into distinct ^b tribes all the citizens that dwelt in the country; and he ordered, that in each of these *country tribes* there should be one place of refuge situated on a steep hill to secure the effects of the peasants upon sudden alarms. These strong holds he called *Pagi*, which signifies villages or boroughs; and he appointed a festival, called *Paganalia*, to be held every year in each of these *Pagi*. All the peasants of the several tribes were to be present at the yearly sacrifices offered to the tutelary Gods of their respective villages, and every person was to bring a piece of money, the men a piece of one kind, the women of another, and the children of a third sort, to be paid into the hands of those who presided at the sacrifices. By counting these pieces of money they learnt the exact number, age, and sex of the persons belonging to each tribe.

* The three tribes of *Romulus*'s division were called the tribe of the *Rhamneses* or *Tribus Palatina*; the tribe of the *Tatienfes* or *Tribus Suburana*, and the tribe of the *Luceres* or *Tribus Collina*.

As taxes were raised by laying a certain sum on each *Tribe*, it was hence, as *Varro* tells us, that those taxes were called *Tributes* and *Contributions*; though *Livy* says that the *Roman Tribes* were so called from the *Tributes* levied on them.

^b What the number of these tribes was, into which *Servius* divided the freemen of *Rome* who lived in the country, seems to be uncertain. The learned Jesuits, Fathers *Catrou* and *Rouillé*, make it to be

just 15, but they give no reason for their conjecture. They offer good reasons why the number could not be 31, as *Dionysius* (following *Venonius* an ancient author) believed. For according to the same *Dionysius* there were in all, including the 4 city tribes, but 21 who voted at *Coriolanus*'s trial many years after. *Livy* and *Florus* speak of an augmentation of the tribes in the year 258, after which augmentation the number was but 21: and *Livy* afterwards speaks of another addition of tribes. Now the whole number of *Roman* tribes never exceeded 35, which number would have been compleat in *Servius*'s time, according to *Venonius*'s account.

Year of
R O M ESERVIUS
TULLIUS
Sixth
King.

In the midst of his cares for the publick safety, this provident King did not forget his own. His two wards *Lucius Tarquinius* and *Aruns* being now sufficiently advanced in years to be capable of disturbing his government, should they prove ill affected to him, he the better to secure their fidelity, married them to his two daughters: And though the elder of these daughters, being of a mild and virtuous disposition, resembled in character the younger of his pupils, as the elder of his pupils did the younger of his daughters who was violent and vicious, yet he thought it most advisable to match them according to priority of birth, that so the mildness and discretion of the elder *Tullia* might restrain the dangerous impetuosity of *Lucius*, and the vivacity of the younger *Tullia* quicken the unambitious indolence of *Aruns*.

During the publick rejoicings for this double marriage, the *Ætrurians* were preparing to make war upon the *Romans* in a national body. The historians have not been particular in their accounts of this war; they only tell us that *Servius*, by repeated victories over them, reduced them to ask peace, and to submit to him upon the same conditions on which they had submitted to his predecessor: and that for this success he was honoured with a third triumph.

§. IV. AFTER this the King returned to the pursuit of his political schemes. Taxes had been hitherto levied upon the people at so much a head, without distinction of rich and poor; and as both sorts were equally obliged to serve in the field at their own expence, it was often very hard upon the poorer sort. There was likewise this farther inconvenience in the present government of affairs, that, as war and peace, the creation of magistrates and the making and abrogating of laws were determined by a majority of the *Curia* assembled, and as in these *Curia* the Rich and the Poor, the *Patrician* and the *Plbeian* were mingled without any distinction, and every man's voice was of equal value, the indigent and ignoble, tho' less qualified to judge, and more easily corrupted, yet being vastly the more numerous, had in these assemblies a greater share in all decrees than the noble and wealthy. *Servius* formed a project to remedy these evils. He ordered all the *Roman* citizens under the severest penalties to give an account in writing of their names and ages, with those of their fathers, wives, and children. He further obliged all the heads of families to deliver in upon oath a just estimate of their effects, and to mention the places of their residence, whether in town or country. Having got information of these things, he undertook to ease the poor, by burthening the rich, and yet to please the latter, by augmenting their power.

To this end, he divided the *Roman* citizens into six *Classes*: and as all the soldiery was to be raised out of these, he appointed them offensive and defensive arms, according to their dignity and pre-eminence. The first *Class* consisted of those, whose estates in land and effects were worth at least a hundred thousand *Asses* of brass, according to the *Latin* way of computing, or ten thousand *Drachmæ*, according to the *Greek*. This first *Class* was subdivided into fourscore *Centuries*, or companies of foot,

Livy, B. 1.
c. 43.
322 l. 186.
4d.
Arbuth.

Year of
R O M E

SERVIVS
TULLIVS
Sixth
King.

forty of which companies were made up of young men; that is, of such as were from seventeen to forty-five years of age, and these alone were obliged to take the field: the other forty companies of the same class were old men; that is, such as were past forty-five, whose only duty was to defend the city. Every soldier of this first and most honourable body of the Roman infantry was defensively armed with a small oval shield after the Greek fashion, an helmet of brass, a cuirass, and *cuisse*s of the same metal; and their weapons were a pike, a javelin and a sword. To these fourscore *Centuries* of foot, *Servius* joined eighteen *Centuries* of Roman Knights, who fought on horse-back. Hitherto there had been but three *Centuries* of Knight. What number of men they contained is uncertain. *Livy* tells us, that of these three *Centuries*, *Servius* made six, and added twelve new *Centuries* to them, and ordained that this considerable body of horsemen should be at the head of the rich *Class*: because, doubtless, the estates of these Knights exceeded the sum necessary for being admitted into this first *Class*. But though they were rich, yet the publick supplied them with horses; and a tax was laid on widows, who were exempt from all other contributions, for maintaining their horses. This first *Class*, including infantry and cavalry, consisted of ninety-eight *Centuries*.

Livy, B. I.
c. 43.

D. Hal. B.
4. P. 221.
242 l. 3 s.
9 d.

The second *Class* comprehended those *Romans*, whose estates were worth at least 75000 *Asses* of brass, or 7500 *Drachmæ*. It was divided into twenty *Centuries* of soldiers, all foot: Ten of young men, and ten of old. And to these twenty were joined two other *Centuries* of carpenters, smiths, and other artificers for the engines of war; so that the second *Class* contained in all twenty-two *Centuries*. The soldiers of this *Class* were armed like those of the former; with this only difference, that they had no cuirass, and instead of the small oval shield had a buckler of the figure of an oblong square, which almost covering their whole body made the cuirass needless.

161 l. 9 s.
2 d.

In the third *Class* were those, who were esteemed worth 50000 *Asses*, or (which amounts to the same) 5000 *Drachmæ*. These wore no defensive armour but the helmet and square buckler; but they fought as the others did, with the pike, javelin and sword. These were also divided into twenty *Centuries*.

80 l. 14 s.
7 d.

The fourth *Class* consisted of such as were worth 25000 *Asses*, or 2500 *Drachmæ*, and this likewise contained twenty *Centuries*, ten of old men, and ten of young; and to these were added two other *Centuries* of trumpets and blowers of the horn, who supplied the whole army with this martial musick. The soldiers of this *Class* had no defensive arms but a square buckler; their offensive ones were the same with those of the former.

Ibid. p.
222.

43 l. 7 s.
3 d. $\frac{1}{2}$
A. Gell.
B. 16.

In the fifth *Class* were included those whose whole substance did not amount to more than 12500 *Asses*, or 1250 *Drachmæ*. They were divided into thirty *Centuries*, fifteen old, and fifteen young. They were not suffered to wear any defensive armour, and their only weapons were slings and darts.

The

The sixth *Class* comprehended all those who either had no estates or were not worth so much as the soldiers of the fifth *Class*. The number of them was so great, as to exceed that of any of the other *Classes*, yet they were reckoned but as one *Century*.

By this enumeration we see that the *Roman* people were, in *Servius's* time, divided into one hundred and ninety-three *Centuries**, reckoning the

* It may be proper here to explain, once for all, the difference between the three sorts of *Comitia* successively established in the *Roman* government, with the manner in which the people gave their votes in these assemblies.

The *Comitia*, according to *Sigonius's* definition, were general assemblies of the people lawfully called by some magistrate, for the enjoining or prohibition of any thing by their votes*.

The proper *Comitia* were of three sorts; *Curiata*, *Centuriata*, and *Tributa*; with reference to the three grand divisions of the city and people into *Curia*, *Centuries*, and *Tribes*: For by *Comitia Calata*, which we sometimes meet with in authors, in elder times were meant all the *Comitia* in general; the word *Calata*, from *calāre* or *calo*, being their common epithet; tho' 'twas at last restrained to two sorts of assemblies, those for the creation of priests, and those for the inspection and regulation of last wills and testaments†.

The *COMITIA CURIATA* owe their original to the division which *Romulus* made of the people into thirty *Curia*; ten being contained under every *Tribu*. They answered, in most respects, to the parishes in our cities, being not only separated by proper bounds and limits, but distinguish'd too by their different places set apart for the celebration of divine service, which was perform'd by particular priests (one to every *Curia*;) with the name of *Curiones*.

Before the institution of the *Comitia Centuriata*, all the grand concerns of the state were transacted in the assembly of the *Curia's*; as, the election of Kings, and other chief officers, the making and abrogating of laws, and the judging of capital causes. After the expulsion of the Kings, when the commons had obtained the privilege to have *Tribunes* and *Ædiles*, they elected them for some time at these assemblies: But that ceremony being at length transferr'd to the *Comitia Tributa*, the *Curia* were never convened to give their votes, except now and then upon account of making

some particular law, relating to adoptions, wills, and testaments, or the creation of officers for an expedition; or for the electing of some of the priests, as the *Flamines*, and the *Curio Maximus*, or superintendant of the *Curiones*, who themselves were chose by every particular *Curia*.

The power of calling these assemblies, belonged at first only to the Kings; but upon the establishment of the Democracy, the same privilege was allowed to most of the chief magistrates, and sometimes to the *Pontifices*.

The persons who had the liberty of voting here, were such *Roman* citizens as belonged to the *Curia*; or such as actually lived in the city, and conformed to the customs and rites of their proper *Curia*; all those being excluded who dwelt without the bounds of the city, retaining the ceremonies of their own country, though they had been honoured with the *Jus Civitatis*, or admitted free citizens of *Rome*‡.

The place where the *Curia* met was the *Comitium*, a part of the *Forum*, as has been already mentioned §.

No set time was allotted for the holding of these or any of the other *Comitia*, but only as business required.

The people being met together, and confirmed by the report of good omens from the *Augurs* (which was necessary in all the assemblies) the *Rogatio*, or business to be propos'd to them, was publicly read. After this (if none of the magistrates interposed,) upon the order of him that presided in the *Comitia*, the people divided into their proper *Curia's* and consulted of the matter; and then the *Curia's* being called out, as it happened by lot, gave their votes, man by man, in ancient times *vivâ voce*, and afterwards by *Tablets*||; the most votes in every *Curia* going for the voice of the whole *Curia*, and the most *Curia* for the general consent of the people †||.

In the time of *Cicero*, the *Comitia Curiata* were so much out of fashion, that they were formed only by thirty *Lictors* representing

* *Sigon. de Antig. Jur. Civ. Rom.* l. 1. c. 17.
Prov. l. 3. c. 1. § See Part II. l. 1. c. 5.

† *A. Gell.* l. 15. c. 27. † *Sigon. de Antig. Jur.*
|| *Tabellæ.* †|| *Rohm.* l. 7. c. 7.

Year of
ROME

SERVIVS
TULLIVS
Sixth
King.

the whole sixth *Class* as but one *Century*: And after a full enquiry, it appeared

the thirty *Curia*; whence in his second oration against *Rullius*, he calls them *Comitia ad-ambata*.

THE *Comitia Centuriata* were instituted by *Servius Tullius*; who obliging every one to give a true account of what he was worth, according to those accounts divided the people into six Ranks or *Classes*, which he subdivided into 193 *Centuries*. The first *Classis* containing the *Equites* and richest citizens, consisted of ninety-eight *Centuries*. The second, taking in the tradesmen and mechanics, made up two and twenty *Centuries*. The third, twenty. The fourth, twenty-two. The fifth, thirty. And the last, filled up with the poorer sort, but one century*.

And this, though it had the same name with the rest, yet was seldom regarded, or allowed any power in publick matters. Hence 'tis a common thing with the *Roman* authors, when they speak of the *Classes*, to reckon no more than five, the sixth not being worth their notice. This last *Classis* was divided into two parts, or orders, the *Proletarii*, and the *Capite Censi*. The former, as their name implies, were designed purely to stock the commonwealth with men, since they could supply it with so little money. And the latter, who paid the lowest tax of all; were rather counted and marshalled by their heads, than their estates†.

Persons of the first rank, by reason of their pre-eminence, had the name of *Classici*; whence came the phrase of *Classici Authores*, for the most approved writers. All others, of what *Classis* soever, were said to be *infra Classem*‡.

The assembly of the people by *Centuries*, were held for the electing of *Consuls*, *Censors*, and *Prætors*; as also for the judging of persons accused of what they called *Crimen Perduellionis*, or actions by which the party had show'd himself an enemy to the state; and for the confirmation of all such laws as were proposed by the chief magistrates, who had the privilege of calling these assemblies.

The place appointed for their meeting was the *Campus Martius*; because in the primitive times of the commonwealth, when they were under continual apprehensions of enemies, the people, to prevent any sudden as-

sault, went armed, in martial order, to hold these assemblies; and were for that reason forbid by the laws to meet in the city, because an army was upon no account to be marshalled within the walls: Yet in latter ages, 'twas thought sufficient to place a body of soldiers as a guard in the *Janiculum*, where an imperial standard was erected, the taking down of which, denoted the conclusion of the *Comitia*.

Though the time of holding these *Comitia* for other matters was undetermined; yet the magistrates, after the year of the city 601, when they began to enter on their place on the *kalends of January*, were constantly design'd about the end of *July*, and the beginning of *August*.

All the time between their election and confirmation, they continued as private persons, that inquisition might be made into the election, and the other candidates might have time to enter objections, if they met with any suspicion of foul dealing. Yet at the election of the *Censors*, this custom did not hold; but as soon as they were pronounced elected, they were immediately invested with the honour§.

By the institution of these *Comitia*, *Servius Tullius* secretly conveyed the whole power from the commons: For the *Centuries* of the first and richest class being called out first, who were three more in number than all the rest put together, if they all agreed, as generally they did, the business was already decided, and the other *Classes* were needless and insignificant. However the three last scarce ever came to vote||.

The commons, in the time of the free state, to rectify this disadvantage, obtained, that before they proceeded to voting any matter at these *Comitia*, that *Century* should give their suffrages first, upon whom it fell by lot, with the name of *Centuria Prærogativa*; the rest being to follow according to the order of their *Classes*. After the constitution of the five and thirty *Tribes*, into which the *Classes* and their *Centuries* were divided, in the first place, the *Tribes* cast lots, which should be the *Prærogative-Tribe*; and then the *Centuries* of the *Tribes*, for the honour of being the *Prærogative-Century*. All the other *Tribes* and *Centuries* had the appellation of *Jure vocata*, because they

* See *Dionys.* l. 4.
‡ *Dionys.* l. 4.

† *A. Gell.* l. 7. c. 13.

‡ *Vid. A. Gell.* l. 16. c. 10.

§ *Liv.* l. 40.

peared that the number of freemen, who were capable of bearing arms, amounted to eighty-four thousand, seven hundred.

D. Hal. B.
4. p. 225.
Year of

These ROME

SERVIVS
TULLIUS
Sixth
King.

were called out according to their proper places.

The *Prerogative-Century* being chose by lot, the chief magistrate sitting in a * Tent in the middle of the *Campus Martius*, ordered that *Century* to come out and give their voices; upon which they presently separated from the rest of the multitude, and came into an inclosed apartment, which they termed *Septa* or *Ovilia*; passing over the *pontes*, or narrow boards, laid there for the occasion; on which account, *de ponte dejici* is to be denied the privilege of voting, and persons thus dealt with, are called *Depontani*.

At the hither end of the *Pontes*, stood the *Diribitores* (a sort of under officers, called so from dividing or marshalling the people) and delivered to every man, in the election of magistrates, as many † Tables as there appeared Candidates, one of whose names was written upon every Tablet.

A fit number of great chests were set ready in the *Septa*, and every body threw in which Tablet he pleas'd.

By the chests were placed some of the publick servants, who taking out the Tablets of every *Century*, for every Tablet made a prick, or a point in another Tablet, which they kept by them. Thus the business being decided by most points, gave occasion to the phrase of *omne tulit punctum* ‡, and the like.

The same method was observed in the judiciary processes at these *Comitia*, and in the confirmation of laws; except that in both these cases only two Tablets were offer'd to every person, on one of which was written *U. R.* and on the other *A.* in capital letters; the two first standing for *Uti Rogas*, or, *Be it as you desire*, relating to the magistrate who proposed the question; and the last for *Antiquo*, or *I forbid it*.

'Tis remarkable, that though in the election of magistrates, and in the ratification of laws, the votes of that *Century* whose Tablets were equally divided, signified nothing; yet in trials of life and death, if the Tablets *pro* and *con* were the same in number, the person was actually acquitted §.

THE division of the people into *Tribes*,

was an invention of *Romulus*, after he had admitted the *Sabines* into *Rome*; and tho' he constituted at that time only three, yet as the state increased in power, and the city in number of inhabitants, they rose by degrees to five and thirty. For a long time after this institution, a *Tribu* signified no more than such a space of ground with its inhabitants. But at last the matter was quite altered, and a *Tribu* was no longer *pars urbis* but *civitatis*; not a quarter of the city, but a company of citizens living where they pleased. This change was chiefly occasioned by the original difference between the *Tribes* in point of honour. For *Romulus* having committed all fordid and mechanick arts to the care of strangers, slaves, and libertines, and reserved the more honest labour of agriculture to the free-men and citizens, who by this active course of life might be prepared for martial service; the *Tribus Rusticae* were for this reason esteemed more honourable than the *Urbanae*: And now all persons being desirous of getting into the more creditable division, and there being several ways of accomplishing their wishes, as by adoption, by the power of the *Censors* and the like; that *Rustick Tribu* which had most worthy names in its roll, had the preference to all others, tho' of the same general denomination. Hence all of the same great family, bringing themselves by degrees into the same *Tribu*, gave the name of their family to the *Tribu* they honoured; whereas at first, the generality of the *Tribes* did not borrow their names from persons but from places ||.

The first assembly of the *Tribes* we meet with, is about the year of *Rome* 263, conven'd by *Sp. Sicinius*, *Tribune* of the commons, upon account of the trial of *Coriolanus*. Soon after the *Tribunes* of the commons were ordered to be elected here: and at last all the inferior magistrates and the collegiate priests. The same *Comitia* served for the enacting of laws relating to war or peace, and all others proposed by the *Tribunes* and *Plebeian* officers, tho' they had not properly the name of *Leges*, but *Plebiscata*. They were generally conven'd by the *Tribunes* of the commons; but the same privilege was allowed to all the chief magistrates.

* *Tavernaculum*. † *Tabellae*. ‡ *Hor. de Arte Poet.*

§. *Dionys. l. 7.* || See *Mr. Walker of coins*, p. 126.

Year of
R O M E

SERVIVS

TULLIVS

Sixth

King.

D. Hal. p.

224, 225.

Livy, B. 1.

c. 43.

D. Hal. p.

226.

Livy, c. 44.

* From

Cenſo to

the of va-

lue.

Theſe regulations being made, the troops were no longer raiſed at ſo many men each *Tribe*, nor were taxes levied at ſo much a head as formerly; but every *Century* furniſhed ſo many men, and ſo much money; and the firſt and richeſt *Clafs*, being more numerous in *Centuries* than all the reſt tog-ther, furniſhed of conſequence more men and more money for the publick ſervice than the whole *Roman* ſtate beſides. However, that ample *compoſis* might be made this *Clafs* for the weight laid on it, *Servius* gave it in effect the whole authority in publick affairs, by aſſembling the People in *Comitia* by *Centuries*, inſtead of *Comitia* by *Curie*. For the votes in the former being reckoned by *Centuries*; and the rich *Clafs* containing more *Centuries* than all the other five, had conſequently every thing at its diſpoſal. The votes of this *Clafs* were the firſt taken, ſo that if the 98 *Centuries* happened to agree in opinion, or only 97 of them, the affair was determined, becauſe theſe made the majority of the 193 *Centuries* which compoſed the 6 *Classes*. There was very rarely any occaſion to go ſo low as the fourth *Clafs* for a majority of votes. After this time the aſſemblies of the *Curie* were only held for the election of the *Flamines*, and the chief *Curio*; and for ſome other matters of no great moment.

Servius having eſtabliſhed this diſtinction among the citizens according to the * *cenſus*, or valuation of their eſtates, commanded them to appear on a day appointed, under arms, and according to their *Classes* and *Centuries* in the *Campus Martius*, which was a large plain field, lying without the city near the *Tiber*. It had been conſecrated by *Romulus* to the God *Mars*. Here, by the King's order, was made a ſolemn luſtration or expiatory ſacrifice in the name of all the people. The ſacrifice conſiſted of a ſow, a ſheep and a bull, whence it took the name of *Suovetaurilia*. The whole ceremony was called *Luſtrum*, à *luendo*, from *paying*, *expiating*, *clearing*, or perhaps from the Goddeſs *Lua* (ſo named from the verb *luo*) to whom *Servius* is ſaid to have built a temple. She was invoked in all expiations, and when people made up their accounts and paid their debts. Becauſe of the continual change of mens eſtates, it was ordered, that the *Cenſus* ſhould be renewed every 5 years, and it being uſually cloſed by the *Luſtrum*, it was hence that this word came to ſignify that term of years. 'Tis probable, that the firſt coined money ever known in *Rome* was ſtruck at this time. The ſacrifices of the *Luſtrum* might perhaps lead *Servius* to ſtamp the figures of the animals there ſlain on pieces of braſs of a certain weight.

They were confined to no place, and therefore ſometimes we find them held in the *Comitum*, ſometimes in the *Campus Martius*, and now and then in the capitol.

The proceedings were in moſt reſpects anſwerable to thoſe already deſcribed in the account of the other *Comitia*, and therefore need not be inſiſted on; only we may farther obſerve of the *Comitia* in general, that when

any candidate was found to have moſt *Ta-*blets for a magiſtracy, he was declared to be *deſigned* or *elected* by the preſident of the aſſembly: And this they term'd *renunciari Conſul*, *Prætor*, or the like: And that the laſt ſort of the *Comitia* only could be held without the conſent and approbation of the *Senate*, which was neceſſary to the convening of the other two *. *Kenner's Antiq. P. 2. B. 3. c. 16.*

* *Dionys. l. 9.*

It is undoubted, that money was called *Pecunia*, from the word *Pecus*, i. e. *Cattle*. Year of
ROM E

§. V. THIS wife Prince contrived also to augment the number of the citizens, by an expedient which none of his predecessors had ever thought of. Remembering his former servile condition, he commiserated the case of those whom an unsuccessful war had reduced to slavery, and who were often persons well born. He judged, that such of these unfortunate People, who by long and faithful services to their masters had deserved and obtained their freedom, were much more worthy to be made citizens of Rome, than untractable vagabonds from foreign countries, who were usually admitted without distinction. He gave the *Freed-men* their choice therefore, either to return to their own countries, or continue at Rome. SERVIUS
TULLIUS
Sixth
King.
D. Hal. E.
4. P. 225. Such, as chose to continue these he divided into the four City Tribes. They were still distinguished from the other *Plebeians*, by their old name of *Liberti*, or freed men, but enjoyed all the privileges of free citizens. The Senate at first took offence at this regard shew'd to such mean people; upon which the King having assembled them, addressed himself to them in the following manner:

If nature has made any distinction between slaves and such as are born free, we ought indeed to observe the order she has established, and to divide those from the rest of mankind whom she has separated from them: but if the placing some in a state inferior to others, be owing to fortune only; does it not become your wisdom to rectify the capricious determinations of a blind Goddess? Has this Fortune, who now inspires you with so much contempt for men taken in war, promised you that your happiness shall be perpetual? Are you sure you and your children shall uninterruptedly enjoy this prosperity which renders you so haughty? Brave and illustrious nations have been often known to experience the vicissitudes of the fortune of war. Such as have play'd the tyrant over those they had conquered, have been themselves reduced to undergo tyranny and oppression from them in their turn. How many instances of these unexpected revolutions have we in Greece, and the barbarous nations? But to return to us Romans; how inconsistent are our proceedings, when we refuse the rights of citizens to those men, to whom we grant liberty? If your slaves were vicious, why did you set them free? And if they were men of probity, why are they not to be incorporated in our tribes? You have hitherto admitted to be citizens all such persons of the neighbouring nations as the love of your laws has drawn to your city. And have you enquired whether their birth was not blemished by the slavery of their fathers? Why then are you influenced, to the disadvantage of your slaves, by such reflections as have no weight with you against fugitives who are utter strangers? In short, if we must compleat the peopling of Rome, let us fill it with such as have for the most part breathed its air from their infancy, such as education has already made entirely Roman, and whose probity has shewn them worthy of recovering their liberty. The publick interest invites you to this, and it is the private interest of every noble family that it should be done. The more of your freed-men you so made citizens of Rome, the greater credit and influence will you have in our

Year of
R O M E
Comitia. *Gratitude will not suffer them to refuse you their suffrages; and your authority will increase in proportion to the number of your new clients.*

SERVIVS
TULLIVS
Sixth
King.
This discourse entirely appeased the Senators, and they passed his institution into a law which subsisted ever after.

D. Hal. B. 4. p. 228, 229.
§. VI. When *Servius* had thus established order among the people, and encouraged the slaves to virtue, he came at last, from a love of the publick good, to reform the Regal Power. His predecessors had reserved to themselves the cognizance of all causes both publick and private. It is true, the Senate and People decided in publick affairs by their votes, but it was the King's business to draw up in form and report the matters that were to be laid before them: So that in reality the whole weight of the government lay upon the King: and he finding the duties of his office too much for one man to discharge them as he ought, transferred to other judges, chosen out of the Senate, the care of hearing and deciding all private causes, excepting state crimes; but he prescribed to these judges certain rules and laws by which they were to proceed.

p. 230.
All these regulations at home being finished, *Servius Tullius* then turned his thoughts abroad; and he laid a scheme for securing more effectually the friendship and fidelity of the *Latines* and *Sabines*, by such social ties as should be strengthened by religion. He summoned the several cities of *Latium* and *Sabinia* to send their deputies to *Rome*. When they were come, he proposed to them to build a temple to *Diana*, at which the *Latines* and *Sabines* should meet every year, and join with the *Romans* in offering sacrifices to the Goddess; that this festival should be followed by a council, at which all disputes, which had happened between the cities, should be amicably determined; that there proper measures should be taken to pursue their common interests; and lastly, that, in order to draw the common people thither, a fair should be kept, at which every one might furnish himself with what he wanted. To this proposal the deputies readily consented, leaving to the King to chuse a proper place where to erect the sanctuary. *Servius* chose the hill *Aventinus*; the temple was finished, and assemblies were annually held in it. The treaty of alliance with the *Latines*, the laws ordained to be observed in these assemblies, as likewise their decrees were engraved on a pillar; which in *Augustus's* time were still to be seen in the temple of *Diana*.

D. Hal. B. 4. p. 243.
§. VII. TO compleat his work of making the *Roman* people entirely free, this republican King is said to have come to a resolution in the latter part of his life, to abdicate the throne and reduce the government to a democracy. But whatever scheme he might have of this kind, it was frustrated by the ambition and violence of *Tarquin*, the elder of his sons-in-law, afterwards surnamed *the Proud*. *Tarquin's* wife endeavoured by all the ways of sweetness and insinuation, to moderate and soften the haughty fierceness of her husband, and to divert him from all criminal enterprizes; while her younger sister, a very fury of a woman, was ever urging the quiet, the good-natured *Aruns* to the most villainous attempts, in order to reach the throne. She loudly lamented her fate in being ty'd to such an indolent

Year of
R O M ESERVIUS
TULLIUS
Sixth
King,

indolent and drowsy husband. Similitude of temper and manners formed by degrees a great intimacy between her and *Tarquin*. At length she proposed to him nothing less than the murdering her father, sister, and husband, that they two might meet and ascend the throne together; and their conversation on this head ended in their anticipating the pleasures of an incestuous marriage. Shortly after they contrived the poisoning, he of his wife, she of her husband; and then impudently asked the King's and Queen's consent to their marriage. *Servius* and *Tarquinia*, though they did not give it, were silent, through too much indulgence for a daughter, in whom now was their only hope of posterity. These criminal nuptials were followed by intrigues against the King. The *Patricians*, apprehensive of the King's designs in favour of the people, were many of them easily brought over to favour the pretensions of *Tarquin*; and, by the help of money, he gained also great numbers of the poorer citizens to his interest. *Servius*, being informed of what was doing, had frequent conferences in private with his son-in-law and daughter, to persuade them by reason to desist from such proceedings, and to wait for the kingdom, till his death: But *Tarquin* and *Tullia* loved violent measures, and to make a noise; they despised the counsels of the King, and resolved to lay their pretensions before the Senate. So that the affair came to a formal process; and *Servius* was obliged to summon the Senate to hear it. *Tarquin* reproached his father-in-law, that he had placed himself upon the throne, without suffering a previous *Interregnum*; that he had bought the votes of the people, and had despised the suffrages of the Senate. He then urged his own right of inheritance to the kingdom, and the injustice of *Servius* (who was only his tutor) in keeping possession of it, when he himself was of an age to govern. To this *Servius* answered, that he had not been intrusted with the Regal Authority under an obligation to preserve it for his pupils, but to secure their lives against the sons of *Ancus*; who, if there could be an hereditary right to the scepter, had a much better one than the grandsons of the late King, who must himself have been an usurper. Take your choice, said he, either to lay aside all hopes of reigning till after I am dead, or to submit in this instant to obey the murderers of your grandfather. But I am surprized, that there should be any among you, Fathers, who would join with this man in endeavouring to dethrone me. What injustice have I done you? Is there any violence, any oppression, any one tyrannical act you can accuse me of? No. But perhaps I am too proud and arrogant. Which of your former Kings ever shewed that moderation in the exercise of power which I have done? Have I not treated the citizens as a tender father his children? Have I not relinquished some part of the Regal Authority to you, and remitted all private causes to your cognizance and judgment? You have nothing to accuse me of but my kindness to the people. This is my only crime, and with regard to this, I have often justified myself to you. But it is needless to mention these things at present. If this *Tarquin* seems to you better qualified to govern, I will not envy the state a better prince than I am. I received the kingdom from the people; to them I will restore it; and will endeavour

D. Hal. E.
P. 235.p. 236, c.
l. 1.

deavour to shew, when reduced to the condition of a private man, that as I knew how to govern, I know how to obey.

D. Hal. p.

240.

Year of
R O M E

SERVIVS
TULLIVS

Sixth
King.

When *Servius* had thus spoken, he immediately dismissed the Senate, and appointed an assembly of the people, which was proclaimed by heralds all over the city. The *Roman Forum* was soon filled with auditors, and the King harangued them in such a manner as gained all their affections. He began with an account of his exploits in war: he gave them the particulars of the battles he had fought, the victories he had won, and the triumphs he had obtained. And then passed on to the wholesome institutions of which he had been the author. The people repeated their applauses upon the mention of every action of *Servius*, and were a great while in suspense, not knowing to what this long preamble tended: Till, after an exact numeration of all the benefits for which the publick was indebted to his government, he fell at last upon *Tarquin*. *A new competitor for the throne offers himself to you, and comes to dispute with me the remains of a reign which I have dedicated to the happiness of the publick. He pretends that his dying grandfather bequeathed the kingdom to him, and that you had no right to dispose of the property of another. Can you hear this without indignation? Will you suffer your rights to be called in question? As for me, if the hardships of a tyrannical administration have made you weary of me, or if the virtues of Tarquin have made him more worthy to reign, I consent that you resume the scepter which I received from you: but I do not think myself at liberty to resign it into any hands but yours; and to you therefore I restore it.* As he ended these words, he would have immediately left the tribunal, but the people stopped him; they all cried out to him not to yield the throne to another. And amidst their confused noises, these words were likewise heard, *Let Tarquin perish, let him die, let us kill him!* This language terrified the proud Prince; and he retired to his house in great haste: whilst the King was conducted back to his palace with the acclamations of the people.

§. VIII. AND now *Tarquin* finding the ill success of violent measures, acted a new part. By caresses and submissions he entirely regained the King's favour, and lulled him into an agreeable security. Tranquillity seemed for some time to be re-established in the royal family; but it was not long before the cruel *Tulla* put an end to it. To reflect that *Tanaquil* a foreigner had made two Kings of *Rome* successively, and that she herself, a King's daughter, was not able to make one, were such afflicting thoughts as would allow her no repose. She fancied her husband grown stupid and insensible, she upbraided him with cowardice, and incited him to act every crime which could serve ambition. *I thought to have found in thee a man of spirit, a true Tarquin, one who had rather have than hope for a kingdom. If thou art the man whom I thought I married, I must call thee King as well as husband. Rouze thyself. Thou hast no need like thy grandfather to come from Corinth or Tarquin to seek a kingdom. Thy household Gods, the Gods of thy country, the royal palace, the regal throne in that palace, the name of Tarquin, create and call thee King. But if thou art unmoved*

Liv. B. 1.

47.

by

by all this, why dost thou deceive the expectations of the People? Why dost thou suffer them to regard thee as a man of a princely soul? Go, coward, get thee hence to Tarquinius or Corinth; thou hast more in thee of thy brother, than of thy grandfather.

Year of
R O M E
SERVIUS
TULLIUS
Sixth
King.

Tarquin, incited by these reproaches of his wife, renewed his intrigues among the Senators. He went from house to house to beg votes, and made his own house a rendezvous of pleasure for the young Patricians. Having formed his party, he chose the time of harvest (when most of the principal citizens were in the country) to put in practice a stratagem which surprized the People by its novelty, and succeeded by the boldness of its execution. Cloathed in royal robes, preceded by some of his domesticks bearing *Fasces*, and followed by a great number of his party, who had swords under their robes; he crossed the *Roman Forum*, and came to the gate of the temple where the Senators were wont to assemble. From thence he sent expresses to them all, commanding them, in King Tarquin's name, to repair immediately thither. He then advanced with a grave pace, and seated himself on the royal throne. Those of the Senators who were of his faction he found already in their places, having given them private notice to be there early; and he now exhorted them resolutely to pursue the intention of their meeting. In the mean time, the rest of the Senators made all the haste they could to the place to which they were summoned. The greater part of them thought *Servius* dead, since *Tarquin* assumed the title and the functions of King; and no one durst keep away from the assembly, for fear his absence, in the beginning of a reign, should be made a crime. When the Senators were got together, *Tarquin* repeated the invectives they had so often heard him utter against his father-in-law: *That being a slave and the son of a slave, he had, after the cruel murder of Tarquin the late King, possessed himself of the kingdom, not by the free voices of the People, or the approbation of the Senate, but by the mere artifice of a woman. That thus born, and thus created King, he had ever been a favourer of mean wretches like himself, and, out of hatred to the Patricians, for their noble birth, had stript them of their estates to give them to the vilest of the people; that the burdens which were before common to all he had heaped on the nobles alone; and had instituted the Centus for no other reason, but that the fortunes of the rich might be more visible to the eye of envy, and that he might have them ready to bestow on beggars whenever he pleased.*

D. Hal. p.
241.

Livy, B. 1.
c. 47.

While he was yet speaking, *Servius Tullius* appeared. He had been informed of the part his son-in-law was acting in the Senate, and immediately hastened thither with but few attendants, and with more boldness than discretion. As soon as he beheld *Tarquin* on the throne, he cried out at a distance, and with a loud voice, *What is it, thou most flagitious of men, that has made thee thus audacious to convene the Senate, and take possession of my throne, while I am alive?—It is thy impudence,* *Servius*, replied *Tarquin*, *it is thy iniquity. I fill the place of my grandfather, which thy villainess was not ashamed to usurp. Is a King's grandson or his slave the more worthy*

c. 48.

Year of
ROME
CCXIX.

SERVIVS
ULLIVS
Sixth
King.

worthy to inherit his kingdom? A slave that has been too long suffered, licen-
tiously to insult his masters? These words threw the old King into a trans-
port of passion, which made him rashly give way to the motions of his
courage, without considering his strength. He drew near the throne to
pull Tarquin down from it. This raised a great shout in the assembly, and
the people crowded into the temple; but no body ventured to part the two
rivals. Tarquin, who was now under a necessity of coming to extremi-
ties, being more strong and vigorous, seized the old man by the waist,
and hurrying him through the temple, threw him down from the top of
the steps into the Forum. The King, grievously hurt and covered with
blood, raised himself up with some difficulty, but all his friends had de-
serted him; only two or three of the people, touched with compassion, lent
him their arms to lead him to his palace. As they were slowly trailing him
along, the cruel Tullia appeared in the Forum. She had come hastily in her
chariot, upon the report she had heard of what passed in the Senate. She
found her husband on the top of the steps of the temple, and, being trans-
ported with joy, was the first who saluted him King; and her example was
immediately followed by the Senators of Tarquin's party. She then took
her husband aside, and suggested to him the thought of not leaving his work
imperfect; upon which he instantly dispatched some of his domesticks, to
overtake the old King, and deprive him of his small remains of life.

D. Hal. p.
241.

p. 242.

Tullia having heard the orders given for the parricide, mounted her
chariot again with an air of triumph to return home. The way to her house
was through a narrow street called *Vicus Cyprius*^a, or the good street. Ex-
tended across it lay the King's body, which was still panting. The charioteer
perceived it, and being struck with horror, checked his horses and
made a stop. *Why don't you go on?* cried Tullia to him. *What is it that
stops you?* The charioteer turned about to her, *alas!* said he, *it is the
body of the King your father.* At these words Tullia catching up a stool
which was in the chariot, and throwing it at his head, *Go on, villain,*
she cried, *are you afraid of driving over a dead corps?* The charioteer obeyed;
and the blood of the father is said to have dyed the chariot wheels, and
even the cloaths of the inhuman daughter. And from hence the street was
called ever after *Vicus Sceleratus*, the wicked street.

Such was the deplorable end of Servius, a Prince of so excellent a con-
duct, says Livy, that even a good successor, a reasonable King, would have
found it difficult to emulate him. He subdued all the enemies of Rome,
and never made it his business to create her new ones. He did not con-
quer merely for the sake of glory; he rated the value of his conquests
only by their tendency to the publick good. One triumph did not beget
the ambition of obtaining another. He made Rome more formidable, by
twenty years of peace, than his predecessors had done by many victories, and
the sacking of a hundred cities. He introduced order in the Militia, and
publick revenues; he rectified the confusion of the assemblies of the Peo-

^a The word *Cyprius*, according to Varro, who had inhabited this quarter, good or
signified in the old language of the Sabines, happy.

ple; he extended the jurisdiction of the Senate, and yet kept its authority within due bounds. He distinguished the rich, only to make them bear the heaviest burdens; and he eased the poor, that he might keep them contented, and without murmuring, in their inferiority. In a word, he was beloved by the People, esteemed by the *Patricians*, and perhaps would have had no enemies if he could have preserved the affections of his own family. He died at seventy-four years of age, after he had reigned forty-four. *Tarquin* refusing to suffer the usual obsequies to be performed for him, lest it might occasion a dangerous commotion among the people, *Tarquinius* conveyed the body of her husband privately by night to his tomb; and the night following she died herself; but whether of grief, or by her own hands, or by the wickedness of *Tullia*, is uncertain. The veneration the people had for the memory of *Servius* seems to have placed him among the Gods. The slaves annually celebrated his festival in the temple of *Diana Aventina*, on the day he lost his life.

Year of
R O M E
CCXX.

SERVIVS
TULLIVS
Sixth
King.

D. Hal. p.
243.

C H A P. VIII.

T A R Q U I N I U S S U P E R B U S.

I. The tyranny of *Tarquin*, who gets the surname of the **PROUD**. His haughty treatment of the *Latine* deputies and treacherous contrivance to destroy *Turnus Herdonius*. §. II. The *Latine* association, and the institution of the **FERIÆ LATINÆ**. *Tarquin* assisted by the *Latines* defeats the *Volsci* and subdues the *Sabines*. He finishes the **COMMON SEWERS** and **CIRCUS MAXIMUS** at *Rome*. §. III. His war with the people of *Gabii*, and the cruel stratagem whereby he becomes master of that city. §. IV. The adventure of the woman with the **SYBIL'S BOOKS**. The rise of the written civil law. *Tarquin* builds the temple of **JUPITER CAPITOLINUS**. §. V. He sends two of his sons with *Brutus* to consult the oracle at *Delphos*. §. VI. The rape of **LUCRETIA**. The *Tarquins* are banished, and a **COMMONWEALTH** established at *Rome*.

OF the seven Kings, who successively governed *Rome*, only the four first seem to have ascended the throne by the people's free choice, according to the original constitution of the State. The elder *Tarquin* (distinguished after this time by the surname of *Priscus*) had indeed the voices both of the *Curie* and of the Senate for his elevation; but, as he bought these voices, he in reality bought the kingdom: His successor *Servius Tullius* (though his merit entitled him to it) may be said to have artfully stole it: and as for the present *Tarquin*, the last of the *Roman* Kings, he seized upon it as his property, his undoubted right by inheritance. He who had so often reproached his predecessor with usurpation, for his want of a legal election to the government, disdained any other title

Year of
R O M E
CCXX.

TARQUIN
II.
Seventh
King.

Year of ROME cccx. title to it himself, but that of hereditary right, or possession acquired by regicide.

TARQUIN II. Seventh King. 1. Hal. B. 4. p. 244. & seq. Livy, B. 1. c. 49. The whole series of this Prince's reign was suitable to the manner of his accession to the throne. Scarce had he seated himself there, when for his capricious humour and arrogant behaviour he got the surname of *the Proud*. He communicated no affairs of state either to Senate or People. Having made sure of a sufficient number of soldiers, partly strangers, to guard his person and to execute his pleasure, all his proceedings were by acts of power; and how grievous soever was the oppression, the oppressed were denied the privilege of complaining. Informers were dispersed throughout the city; the King was the sole judge of the accused; wealth and merit became unpardonable crimes. Of this latter the Tyrant gave a remarkable proof in the murder of *M. Junius*, a venerable old man, the father of the famous *L. Junius Brutus*, who afterwards destroyed the Regal Power. This *M. Junius* was descended of a noble family, and had an ample patrimony, upon which considerations the first *Tarquin* had given him his youngest daughter in marriage. The new King, to get possession of his estate, caused both him and his other son to be assassinated, and *Brutus* escaped only by counterfeiting stupidity. In short, *Tarquin* carried his tyranny to such excess, that the flower of the Senate went into a voluntary banishment, to avoid the effects of his cruelty and avarice. The People, who had rejoiced at first to see the Senate humbled, were now in their turn as ill-treated as the *Patricians*, and all the laws made in their favour were annulled. The poor were constrained to pay the same taxes as the rich. No *Census*, no *Lustrum*, no division of the citizens into *Classes* and *Centuries*. All assemblies of the people, even for diversion and recreation, were prohibited, both in town and country.

But now *Tarquin*, being sensible that all the orders of men in a state could not be long under oppression, without uniting against the oppressor, turned his thoughts to gain foreigners to his interest. And to this end he married his daughter to *Ostavius Mamilius*, a man of bravery and experience in war, and of the most considerable interest of any among the *Latines*. *Mamilius* procured his father-in-law many friends of the chief persons of *Latium*; but *Tarquin* had like to have lost them again by his haughty behaviour. He had desired the *Latines* to convene a national Council at *Ferentinum*, where he would meet them on a day appointed by himself. The deputies came and took their places in the sacred grove of the temple of *Flora*. There they waited many hours, but *Tarquin* did not appear. The assembly grew impatient, and *Turnus Herdonius*, an enterprising eloquent man, who hated *Tarquin*, and was jealous of *Mamilius*, laid hold of this occasion to inveigh against the King. *I am not all surprized*, said he, *that Rome has given Tarquin the surname of the Proud. What can be a greater instance of pride than thus to trifle with the whole Latine nation; to summon thither the Latine Chiefs to meet him, and not to appear himself? Doubtless he means to put our patience to the test, and to judge by our manner of bearing his insults, how far he may oppress us when he has brought us under his yoke. If my ad-*

vice may have any weight with you, let us return home and take no more notice of the assembly day than he who appointed it. But Mamilius rose up and excused his father-in-law, by imputing his absence to some unforeseen and urgent affairs which hindered his coming, and he prevailed to have the council adjourned to the next day^a. Then Tarquin appeared, and being put in mind by those who were near him to make some excuse to the Latines for having disappointed them the day before, *I was engaged*, said he very coldly, *in making up a difference between a father and his son.*—Of all differences, (briskly answered Herdonius) *there is none requires so little time and so few words to compose it. There needs only to tell the son, that if he do not obey his father some dreadful mischief will befall him.* This beginning did not please Tarquin, but he concealed his resentment for the present, and proceeded to tell the assembly, that his design in calling them together was to claim his right of commanding the Latine armies, a right which he derived by inheritance from his grandfather; but which he desired might be confirmed to him by them. These words were scarce ended, when Herdonius stepping forth into the midst of the assembly, with great warmth renewed his invectives against the King and opposed his demand. *What!* said he, *does Tarquin the Proud pretend to an hereditary right to govern us? Needs there any stronger proof, than such a claim, of the injustice and wickedness of him who makes it? Was it then a condition in the treaties we made with his grandfather, that we should be subject to his posterity? Was this the meaning of the voluntary and temporary concession we made to him? Tarquin employs the same pretence of hereditary right against us, which he has improved to the ruin of Rome. Latines! if you hearken to him, your slavery is as certain as that of the Romans. And will it be less severe? His own subjects have been some of them murdered by him, others banished their country, others stript of their estates; the very best among the Romans have been thus treated, and all in general are deprived of liberty. Will strangers find Tarquin a less cruel and less covetous master? Judge of the fate you are to expect by that of Rome.*

Year of
ROME
TARQUIN
II.
Seventh
King.

Livy, B. 1.
c. 50.

D. Hal. p.
248.

Tarquin was disconcerted by the boldness of this orator, and desired that the assembly might sit again the following day, when he promised to give an answer to the invectives of Herdonius. In the mean time he corrupted some of Herdonius's domesticks, and engaged them to hide a great quantity of arms in their master's baggage. The next morning entering the assembly with an air of confidence, he told them that one word was sufficient to destroy all the calumnies of Herdonius. *In reality* (he added) *my accuser has himself acquitted me. Were I such a person as he represents me, would he have sought an alliance with me? He earnestly solicited me to give him my daughter in marriage; but for good reasons I refused to accept him for a son-in-law, and here is the source of his malice. But this is no time to enter further into my justification. Your own interests, your own safety, your liberties and lives demand at present all your attention.* He then acceded

^a Livy says, B. 1. c. 50. That the assembly was formed early in the morning, that Tarquin arrived the evening of the same day.

Year of
R O M E

TARQUIN

II.

Seventh

King.

his adversary of having laid a plot to cut off all the Deputies there present, and to usurp a tyranny over the *Latine* cities; and, as a proof of this, he informed them of the arms in *Herdonius's* baggage. An accusation of such importance threw all the assembly into a fright, except the accused, who knowing nothing of those arms, and believing that his innocence would quickly appear, desired his baggage might be searched; declaring at the same time, his consent to be judged guilty, if the fact, alledged in evidence of the crime, proved true: accordingly an examination was made; and the arms being found and brought into the assembly, it put the Deputies into such a rage, that, without suffering *Herdonius* to make his defence, they immediately sentenced him to be thrown into a basin at the head of the spring of *Ferentinum*; where a hurdle being laid upon him, and stones heaped upon the hurdle, he was pressed down into the water and drowned.

§. II. BUT the death of an enemy was not the only advantage *Tarquin* drew from this monstrous treachery: The *Latines* looked upon him as their deliverer, renewed the treaty made with his grandfather, and declared the King of *Rome* General of the *Latine* armies. And, soon after this, the *Hernici*, and two *Cantons* of the *Volschi*, entered into a league with him upon the same terms. In order to keep these confederates firm to their engagements, *Tarquin*, with their approbation, erected a new temple in the midst of them to *Jupiter Latialis*. It stood on a hill near the ruins of *Alba*. There the Diets of the united *Cantons* were annually to assemble; and it was agreed that the several nations in league should upon no pretence do any act of hostility against each other during that time; but should there jointly offer sacrifices to *Jupiter* and feast together in token of union. These assemblies were called *Latia*; and the day appointed for their annual meeting, which was the 27th of *April*, was called *Feria Latinae*. The *Romans*, as the chief members of the alliance, always presided at the sacrifices and deliberations. The Diet consisted of forty-seven Deputies, from so many cities, forming that *Latine* association, which, in after-times, was the best part of the *Roman* strength, and contributed more than all the rest of *Italy* to the conquest of the world.

CCXXIV. *Tarquin*, thus strengthened and supported, resolved to make war upon those of the *Volschi* who had refused to enter into alliance with him. But he did not raise his army upon the foot of *Servius's* division of the *Roman* soldiery by *Centuries*, nor were the allies any longer a separate corps. Not having sufficient confidence in the fidelity of his *Romans*, he chose only a small number of them, such as he could most depend on, and blended them with the *Latines* in the same *Legions*. The inhabitants of *Suessa Pometia*, one of the most flourishing cities of the *Volschi*, having committed some depredations on the *Latines*, *Tarquin* laid hold of this pretence to begin the war. He defeated their army, took their city by storm, and gave the plunder of it as free booty to the soldiers, reserving only the tenth part of the spoil towards the expence of finishing the temple of *Jupiter Capitolinus*.

He

He then turned his arms against the *Sabines*, who had divided all their forces into two bodies, and posted them, one near *Eretum*, the other near *Fidene*. By his masterly conduct, he entirely defeated both armies, and made the whole *Sabine* nation tributary. And it is probable, that the King at this time decreed himself two triumphs, one for his victory over the *Volsci*, the other for having subdued the *Sabines*.

Year of
R O M E
TARQUIN
II.
Seventh
King.
Fast. Cap.
CCXXX.

Upon his return to *Rome*, he set the people at work to finish the common sewers, and the great *Circus*. He thought an idle populace, who did not love their Prince, dangerous. The artificers were likewise taken out of their shops, and obliged to painful drudgeries, with short allowance : but by these vexatious methods he brought to perfection those two structures which his grandfather had begun.

§. III. IN the mean while, a great number of discontented *Patricians*, who fled from their own city, took refuge at *Gabii*, a city of *Latium*, about 100 furlongs from *Rome* in the way to *Prænestæ*; and the inhabitants being touched with compassion to see so many considerable persons under persecution, resolved to make themselves parties in the quarrel, and begin a war with the King of *Rome*. *Tarquin* was informed of their preparations to take the field, and, suspecting against whom they were designed, raised a prodigious bulwark (much boasted of in after-ages) to cover the city on the side of *Gabii*. This war between the *Romans* and the *Gabini* lasted seven years, with various success; and the inroads and devastations made on both sides, being a hindrance to all sowing and reaping, produced at length a scarcity of corn. It was chiefly felt at *Rome*, where complaints were made by the people, that they suffered, not by any hatred of their neighbours to them, but to the King; and they demanded either a peace or provisions; and these discontents were fomented by emissaries from the exiles at *Gabii*. *Tarquin* being much perplexed by the people's clamours, which tended to a general sedition, his son *Sextus Tarquinius* proposed, and, in concert with him, put in practice an expedient equally artful and dishonourable for reducing *Gabii*. He pretended to be upon very ill terms with his father, and openly inveighed against him as a tyrant, who had no compassion even for his own children; upon which the King caused him to be beaten publicly in the *Forum* as a rebel. This discontent of the son, and barbarity of the father, were reported at *Gabii* by trusty persons sent thither on purpose, who by artful management made the *Gabini* very desirous to have *Sextus* among them. Accordingly a secret negotiation was set on foot for that end, and *Sextus* was at length prevailed with to accept the invitation of the *Gabini*, they giving him their solemn promise never to deliver him up to his father, on any pretence whatsoever.

CCXXXV
to
CCXLI.
D. Hal. p.
253.

P. 254.
Liv. B. I.
c. 53.

When he was come to *Gabii*, his whole talk, both in publick and private, turned upon the tyranny of the King of *Rome*; and he suited his actions to his discourse. No enemy of *Rome* was more active and enterprising. He frequently made inroads on the *Roman* lands, and came back loaded with spoil; his father contriving to gain him honour, by always sending against him weak parties which must infallibly be worsted. By

D. H. ibid.
Liv. c. 54.

c. of this means, *Sextus* came at length to such a high degree of credit among the *Gabini*, that he was chosen General of their army, and was as much master in *Gabii*, as *Tarquin* was in *Rome*. And now finding his authority sufficiently established, he dispatched a slave to his father, to enquire what he should do. The King, unwilling to send an answer, either in writing, or by word of mouth, took the slave into a garden, and there (in imitation of *Tharsylulus* the *Milefian*) struck off the heads of all the tallest poppies. This done, he sent back the messenger. *Sextus* understood the hint, assembled the *Gabini*, and pretended to have discovered a plot to deliver him up to his father. The people in a rage pressed him to declare the conspirators, and with much difficulty he suffered them, as it were, to extort from him the name of *Antistius Petro*, a man whose merit had made him the most considerable person in his country. *Antistius* despised the accusation; but *Sextus* had bribed his servants (in the same manner as *Tarquin* had formerly done those of *Herdonius*) to convey among his papers some letters from the King of *Rome*; which being produced and read, the populace, without further examination, immediately stoned him; and to *Sextus* was committed the care of discovering his accomplices, and appointing their punishment. Upon this he ordered the city gates to be shut, and sent officers into every quarter of it, to cut off the heads of all the eminent men, and flower of the Nobility, without mercy. And in the midst of the desolation and confusion, caused by this dreadful massacre, he opened the gates to his father, to whom he had given timely notice of his design; and *Tarquin* entered the city with all the pride of a conqueror.

The *Gabini* no sooner saw themselves thus totally at the mercy of the Tyrant, but they fell into the lowest depths of despair, and there was no evil which they did not expect to suffer. However, their misfortunes were not so great as their fears. *Tarquin* upon this occasion consulted good policy more than his revenge. Not one of the citizens was put to death by his orders. He granted them life, liberty, and estates, and even entered into a treaty with the city; the articles of which, when it was ratified, were written on a shield made of the hide of an ox sacrificed on that occasion. This treaty was yet to be seen at *Rome* in *Augustus's* time, in the temple of *Jupiter Fidius*.

It was one part of *Tarquin's* refined politicks to keep his sons at a distance from him. He left *Sextus* therefore in *Gabii*, and made him King of the place. His two other sons, *Titus* and *Aruns*, he sent away under pretence of making them the founders of two colonies*. The first was

* It is proper to declare, in the beginning of this history, on what occasions the *Romans* sent out colonies, and what privileges those colonies enjoyed. The *Romans* never sent out their citizens to found colonies, but either to enlarge their limits, or to curb some nations who were yet unsubdued, or to ease their city

of too great a number of inhabitants, or to get rid of a multitude who were inclined to sedition, or to reward the old soldiers of the *Roman* legions. Before these colonies set out from *Rome*, a certain quantity of land was assigned them, in the place where they were to settle, which was to be their own property.

was to build a city at *Signia*, and the other at *Circæum*, a promontory on the shore of the *Tyrrhene* sea, and both these to keep the *Volsi* in awe.

§. IV. *TARQUIN* now enjoyed a profound peace at *Rome*; the *Romans* were become accustomed to the yoke of an imperious master; and the weight of oppression made them silent. It was at this time that an unknown woman appeared at court, loaded with nine volumes, which she offered to sell, but at a very considerable price. *Tarquin* refusing to give it, she withdrew and burnt three of the nine. Some time after she returned to court, and demanded the same price for the remaining six. This made her look'd upon as a mad woman, and she was driven away with scorn. Nevertheless having burnt the half of what were left, she came a third time, and demanded, for the remaining three, the same price which she had asked for the whole nine. The novelty of such a proceeding made *Tarquin* curious to have the books examined. They were put therefore into the hands of the *Augurs*, who finding them to be the oracles of the *Sybil* of *Cumæ*, declared them to be an invaluable treasure. Upon this the woman was paid the sum she demanded, and she soon after disappeared, having first exhorted the *Romans* to preserve her books with care. They soon began to be religiously respected at *Rome*. *Tarquin* appointed two persons of distinction^a, to be guardians of them. These were styled *Duumviri*. When the temple of *Jupiter Capitolinus* was built, the books were locked up there in a vault, and were afterwards burnt with the temple itself.

It was also in this *Tarquin's* time, that the written civil law had its rise among the *Romans*. One *Papirius*, a Senator, collected all the laws made by the Kings into one^b body, which was called the *Papirian* law.

Rome

perty. And the number of families sent from *Rome* was proportioned to the quantity of ground which was to be given them. The persons so transplanted were generally such as had neither land nor houses, either in city or country. They marched to the place of their new habitation in order of battle. There they either built them a city themselves, or took possession of one already built, which was left empty for them. Here they lived agreeably to the *Roman* laws, but immediately lost the right of suffrage they had had in the *Comitia*. Nor could they stand for any office in the Commonwealth, unless they were again made citizens of *Rome*. C. & R.

^a These officers were afterwards increased to 10 (*Decemviri*), and then to 15 (*Quindcemviri*.) It was their business to consult the *Sybilline* books, whenever the Senate thought it proper: But recourse was had to them, in times only of publick distress; as when a dangerous sedition threatened the state,

when the *Roman* armies had been defeated, or when any of those prodigies appeared, which were thought fatal to *Rome*; as for instance, an eruption of the fire of *Vesuvius* or *Ætna*, or some monstrous birth of man or beast. Then the *Duumviri* had the care of putting in execution whatever they thought commanded by the books of the *Sybls*. They presided over the sacrifices, and publick sports, which they appointed, to appease the wrath of Heaven. And lastly, they ordered every thing that related to the *Ludi Seculares*. Their office was for life, and they were exempted from taxes, as well as from civil and military employments. This sort of magistracy continued at *Rome* till the time of *Theodosius*, when it was abolished with the rest of the *Roman* superstitions. C. & R.

^b Some pretend, that *Papirius's* work did not continue long in use, since the laws of the Kings did not survive *Tarquin the Proud*, but were abolished with the regal Power. But this

D. Hal. B. *Rome* continuing in peace, *Tarquin* laid hold of the opportunity to carry
4. P. 257, on the magnificent work his grandfather had begun, the temple of the
& seq. *Capitol*. The money necessary for it had been laid by ever since the tak-
Year of ing of *Sueffa Pometia*. He hired architects and skilful workmen from
R O M E *Hetruria*; and as to the laborious part, he made his subjects the drudges,
TARQUIN as he had often done before; but as this was a religious undertaking, they
II. assisted in carrying it one with more cheerfulness than usual.
Seventh §. V. WHILE *Tarquin* and the *Romans* were thus employed, a dreadful
King. plague raged in *Rome*; and this with some other extraordinary events made
p. 264. such an impression upon his mind, that he resolved to send his sons *Titus* and

Livy, B. 1.
c. 56.

Aruns to consult the oracle of *Delphi* upon the cause and cure of the con-
tagion. The Princes prepared magnificent presents for *Apollo*; and *Junius*
Brutus (the counterfeit idiot) being to attend them for their amusement
in the journey, resolved to carry his offering too. The present he chose
for the God was an elder-stick, and this was matter of diversion to the
whole court. However, as he knew that the Gods of those times, or
their ministers, were much affected with valuable offerings, he had the
precaution to inclose a rod of gold in his stick, without any body's know-
ledge. And thus it was a true emblem of his own mind and conduct,

this opinion ought to be confined within just
bounds. It is true, the laws that favoured
the monarchick state were abolished after the
revolution, which changed the government
of *Rome* into a Republick. But the laws
which related to good polity in general, such
as those of *Servius Tullius* concerning com-
merce, contracts, the *Census*, and the *Lustra*,
always continued in force. It may likewise
be affirmed, that the laws of *Romulus*, *Numa*,
and other Kings were still respected, and ever
continued to be, as it were, the ground-work
of the *Roman* law. C. & R.

* The temple of *Jupiter Capitolinus* was si-
tuated on the top of the hill *Tarpeius*, which
had been long since made a part of *Rome*.
The original of the new name of *Capitol*,
given to this hill, is by historians said to be
this. As the workmen were digging the
foundations, or levelling the *Area* of the tem-
ple of *Jupiter*, they are said to have found,
very deep in the earth, the head of a man,
whose features were preserved entire, and
the blood of it was red as if but newly shed.
This the *Romans* looked on as a prodigy,
and the *Hetrurian* diviners being consulted
upon it, declared it to presage, that *Rome*
would some time or other become the mis-
tress and head of *Italy*. The prodigy and the
answer of the *Augurs* therefore encouraged
Tarquin to spare neither pains nor cost, in

the raising a structure to the honour of those
Gods, who were the authors of so glorious a
destiny. Accordingly the foundations of it,
were marked out, and the temple was built
of almost a square form; for it was but fif-
teen feet longer than it was broad. It is
reckoned to have been two hundred feet
broad, and about two hundred and fifteen
feet long. The front of this great building
was to the south, that is, it faced the hill
Palatinus and the *Forum Romanum*. An hun-
dred steps led up to it from the *Forum*, which
were divided at certain distances, by large
half-paces, or landing places, to give those
who went up time to breathe, before they
came to the top of the hill, and the foot of
the *Portico*. This front consisted of three
rows of pillars; and the two sides of the tem-
ple were adorned with a *Peristyle*, consisting
of a double row of pillars. It was, in after
ages, burnt down more than once; and the
Romans always rebuilt it, still preserving the
same proportions: till at last, the embellish-
ments that were added to it, made it one of
the richest sanctuaries in the world. The
whole arch of this prodigious building was
gilt, both within and without. It contained
three chapels, one dedicated to *Jupiter*, ano-
ther to *Juno*, and the third to *Minerva*,
or was rather three temples under the same
roof. D. Hal. B. 4. p. 258, 259. C. & R.

who

who under a contemptible outside concealed the richest gifts of nature. It is probable that the Oracle told them, among other things, that there would quickly be a new reign at *Rome*; because it is said, that when they had performed their father's commission they enquired, which of them should succeed *Tarquin*; and that the God declared, that the government of *Rome* was destined to HIM who should first give a kiss to his mother. Upon this we are told, that the two brothers either drew lots, which of them at their return to *Rome* should first kiss his mother *Tullia*, or agreed to do it both together, that they might reign jointly; but that *Brutus*, imagining the Oracle had another meaning, pretended to fall down by chance and kissed the earth, the common mother of all living. Whether these things be entirely fabulous or not, the revolution, which abolished the Regal Power, happened soon after their return to *Rome*. They found the city in a commotion, on account of the war in which the King was engaged with the *Rutuli*. In hopes of recruiting his exhausted treasury, he had marched his army to *Ardea*, their capital, about 20 miles from *Rome*, thinking to take it without opposition: but he found himself obliged to besiege it in form. This put him under a necessity of laying a heavy tax upon the people; and this tax greatly increased the number of the malecontents, and disposed them to a revolt.

§. VI. THE siege being carried on very slowly, the general officers had a good deal of leisure for diversions, and they mutually made entertainments for one another in their quarters. One day, when *Sextus Tarquinius* was entertaining his brothers, their kinsman *Collatinus* being of the company, the conversation happened to turn upon the merit of wives. Every one extoll'd the good qualities of his own; but *Collatinus* affirm'd, that his *Lucretia* excelled all others. It was a kind of quarrel, and in order to end it, they took the method which mirth and wine inspired; which was to mount their horses, go and surprize their wives: and it was agreed, that she whom they found employed in the manner most becoming her sex, should have the preference. Away therefore they galloped first to *Rome*, where they surprized the King's daughters-in-law all together in the midst of feasting and diversions; and the Ladies seemed much disconcerted by the unexpected return of their husbands. From *Rome* they halted away to *Collatia*, the place where *Collatinus* resided in time of peace. (He was the grandson of *Egerius* that nephew of *Tarquinius Priscus* beforementioned, to whom that King gave the city and territory of *Collatia* in property.) Tho' the night was far advanced when the Princes arrived there, they found *Lucretia* up, with her maids about her, spinning and working in wool. The company her husband brought her of a sudden did not discompose her; and they were all pleased with the reception she gave them. *Sextus* was so captivated with her beauty, and so inflamed with passion, which her insuperable modesty made the more violent, that he became exceedingly unwilling to leave the place; but there was an

Year of
R O M E
TARQUIN
II.
Seventh
King.
Livy, ibid.
D. Hal. p.
265.
CCXLIII.

Livy, B. 1.
c. 57.

^a See Page 78.

Year of
R O M E
CCXLIII.

TARQUIN

II.
Seventh
King.
Livy, B. 1.
c. 58.

absolute necessity for his appearing at the camp before *Ardea*. However he found a pretence to return very soon to *Collatia*; and went to lodge at his kinsman's house. *Lucretia*, in her husband's absence, entertained him with great civility and respect, and after supper he was conducted to his apartment. When all were asleep he stole into *Lucretia's* chamber, and coming with his drawn sword to her bed-side, laid his left hand upon her breast and wakened her: *Lucretia*, said he, *I am Sextus Tarquinius, if you speak a word you die*. Then he declared his passion, and by intreaties, mixed with menaces, endeavoured to make her yield to his desires. And when he found that all was in vain, and that even the fear of death could not prevail upon her to consent, he threatened her also with infamy. He told her that he would kill one of her slaves, lay him naked by her when she was dead, and then declare to all the world that he had only revenged the injured honour of *Collatinus*. The dread of ignominy was too powerful for *Lucretia's* constancy; *Sextus* obtained his wishes, and early the next morning appeared again in the camp. *Lucretia*, though she had escaped what she dreaded as the greatest of evils, yet could not endure the thoughts of life after the violence she had suffered. She dressed herself in mourning, took a ponyard under her robe, wrote to her husband at the camp to meet her at her father *Lucretius's* house, and then mounting her chariot came to *Rome*². People were surprized to see her wearing all the marks of the deepest sorrow, and often asked her as she passed along what was the cause of her grief. She answered them only by weeping; and, when the same question was put to her at her father's house, she still refused to discover the matter, till there should be a full assembly of her friends and relations, whom she desired might be called together. Upon the first summons great numbers of the Nobility crowded to the house, and among the rest *P. Valerius* (afterwards *Poplicola*) and *Lucius Junius*, who seems to have waited for this moment to throw off that mask of stupidity, which had got him the surname of *Brutus*. When the assembly was pretty numerous, she addressed herself to her husband *Collatinus*, disclosed in few words the whole secret, her own shame and his dishonour, and the treacherous author of both: She protested the unspotted innocence of her heart, but at the same time declared her firm resolution not to live, and conjured them not to let the crime of *Sextus Tarquinius* go unpunished: All who were present gave her, one by one, their solemn promise to revenge the insult she had suffered; they also endeavoured to comfort her, by telling her, that the body could not sin, and that there could be no guilt, where the mind was unconsenting; but nothing could divert her from the desperate resolution she had taken: *No*, said she, *no woman shall hereafter survive her honour, and say, Lucretia was her example*; and then having embraced her father and her husband, as one that

D. Hal. B.
4. p. 262,
203.

Livy, *ibid*.

D. Hal. p.
263.

² According to *Livy*, she sent to desire her own house, and it was at *Collatia* that her father and husband to come to her at she killed herself.

bids a last farewell, she immediately plunged the concealed dagger into her breast. Her father and husband, starting, cried out as she fell at their feet; a mixture of compassion and fury seized the whole assembly; and the blood which *Lucretia* shed to attest her innocence, or repair her glory, served likewise to cement the union of those illustrious patriots who gave liberty to *Rome*. For *Brutus* going near to the dying Lady, drew the ponyard out of her bosom, and, shewing it all bloody to the assembly, *Yes*, said he, *I swear by this blood, which was once so pure, and which nothing but royal villainy could have polluted, that I will pursue Lucius Tarquinius the Proud, his wicked wife, and their children, with fire and sword, nor will ever suffer any of that family or of any other whatsoever to be King in Rome; Ye Gods, I call you to witness this my oath!*—This said, he presented the dagger to *Collatinus*, *Lucretius*, *Valerius*, and the rest of the company, and engaged them to take the same oath. These noble *Romans*, struck with amazement at the prodigious appearance of wisdom in an idiot, look'd on him as inspired, and submitted entirely to his conduct. He then let them know, that his folly had been only feigned, he exhorted them to defer lamenting the death of *Lucretia* to another time, to behave themselves now like men and *Romans*, and think only of revenging it; and he advised them to begin by shutting the gates of *Rome*, and placing a trusty guard to secure them, that no body might go out of the city to give notice at the camp of what was doing. This counsel was approved, and, as *Lucretius* had been left Governor of the city by *Tarquin*, was put in execution without difficulty.

Then *Brutus*, causing the yet bleeding *Lucretia* to be carried to the place where the *Comitia* were usually held, and placing the corps where it might be seen by every body, ordered the people to be called together. By a surprizing instance of good-fortune, he happened to be legally invested with the power of assembling the *Comitia*; this right was annexed to the office of *Tribune*, or chief commander of the King's horseguards, which *Tarquin* had given him, because he thought him incapable of using it to his disadvantage. When the multitude were assembled, the imagined idiot, to their great surprize, addressing himself to them, began with an apology for his presuming to speak in publick on so important an occasion; he in few words explained to them all the mystery of his past conduct, and the necessity he had been under, for more than twenty years together, of counterfeiting folly, as the only means to preserve his life after the murder of his father and elder brother. He then proceeded to tell them the resolution the Patricians were come to of deposing the Tyrant, and press'd them in the strongest terms to concur in that design. He enumerated the crimes by which *Tarquin*, in concert with the wicked *Tullia*, had made his way to the throne. He put them in mind of *Aruns Tarquinius* (the Tyrant's brother) and the elder *Tullia*, both persons of amiable dispositions, and both treacherously poisoned, he by his wife the present Queen, she by her husband the present King; the criminal nuptials that followed the secret murders, and the horrid tragedy that followed those

Year of
R O M E
CCXLIII.

TARQUIN
II.

Seventh
King.

Livy, B. 1.
c. 59.

D. Hal.]

270.

Livy, ibid.

Year of
R O M E
CCXLIII.

TARQUIN

II.
Seventh
King.

Liv. B. I.

c. 59.

D. Hal. B.

4. p. 270.
& seq.

nuptials; *Servius Tullius*, the justest, the mildest, the most beneficent of Kings, openly assassinated, and the cruel *Tullia* riding in triumph over the body of her expiring father: O execrable fact! ye Gods, the avengers of injured parents, YE beheld it. But why should I dwell on these crimes committed by the tyrant against his own family and blood? The wrongs he has done his COUNTRY, his cruelties to every one of you in particular are insufferable and without end. With what an utter contempt of all our laws did he usurp an elective Kingdom? And how was he maintained himself in his illegal power? By murders, by banishments, by the oppression of all his subjects. As for the Patricians — you see the condition to which we are reduced; — I shall say nothing of it — our greatest enemies could not behold it without compassion. And as for you Plebeians, what is become of your rights and privileges? Are you ever called together to assist at the sacrifices? to elect your magistrates? or to give your suffrages in publick affairs? Have you not been treated as the vilest of slaves? The victorious Romans; victorious over all the nations around them, are condemned at home to undergo the most painful drudgeries, to be hewers of stone, to sweat under heavy burthens, to work in mines, and breathe the unwholesome air of sinks and common sewers. And are these miseries, these indignities never to have an end? Or, if you ever propose to assert your freedom, how long will you delay it? You wait, perhaps, for *Tarquin's* death. But what benefit would accrue to you from that? He has three sons, more wicked, if possible, than himself. By what the eldest of them has just now done, you may judge what is to be expected from such a race. There! Romans, turn your eyes to that sad spectacle—the daughter of *Lucretius*—*Collatinus's* wife—she died by her own hand. See there a noble Lady, whom the lust of a *Tarquin* reduced to the necessity of being her own executioner, to attest her innocence. *Sextus*, hospitably entertained by her, as a kinsman of her husband's,—*Sextus*, perfidious guest, became her brutal ravisher. The chaste, the generous *Lucretia* could not survive the insult. Glorious woman! Once only treated as a slave, she thought life no longer to be endured. *Lucretia*, a woman, disdained a life that depended on a tyrant's will; and shall we, shall men with such an example before our eyes, and after five and twenty years of ignominious servitude, shall we, through a fear of dying, defer one single instant to assert our liberty? No, Romans, now is the time; the favourable moment, we have so long waited for, is come. *Tarquin* is absent from Rome: The Patricians are at the head of the enterprize: The city is abundantly provided with men, arms, and all things necessary. There is nothing wanting to secure the success, if our own courage does not fail us. And shall those warriors who have ever been so brave when foreign enemies were to be subdued, or when conquests were to be made to gratify the ambition and avarice of a Tyrant, be then only cowards, when they are to deliver themselves from SLAVERY? Some of you are perhaps intimidated by the army which *Tarquin* now commands. The soldiers, you imagine, will take the part of their General. Banish so groundless a fear. The love of liberty is natural to all men. Your fellow citizens in the camp feel the weight of oppression with as quick a sense as you that are in Rome, and will as eagerly seize

seize the occasion of throwing off the yoke. But should we grant, there may be some among them, who through baseness of spirit, or a bad education, will be disposed to favour the tyrant, the number of these can be but small, and we have means sufficient in our hands to reduce them to reason. They have left us hostages more dear to them than life. Their wives, their children, their fathers, their mothers, are here in the city. Courage! Romans, the Gods are for us, those Gods whose temples and altars the impious Tarquin has profaned by sacrifices and libations made with polluted hands, polluted with blood, and with numberless unexpiated crimes committed against his subjects. O ye Gods, who protected our fore-fathers, and ye Genii, who watch for the preservation and glory of Rome, do you inspire us with courage and unanimity in this glorious cause, and we will to our last breath defend your worship from all profanation.

Brutus's harangue was often interrupted by the acclamations of the people. Some wept at the remembrance of past sufferings; others out of joy, at the hopes of a more happy government; and every one called out for arms. But Brutus did not judge it proper to arm the people, till they had first confirmed, by their suffrages, a decree of the Senate, which was to this effect: It deprived Tarquin of all the prerogatives belonging to the regal authority, condemned him and all his posterity to perpetual banishment, and devoted to the Gods of hell every Roman who should hereafter by word or deed endeavour his restoration. The Curiae being assembled and the matter proposed, they were all unanimous in confirming the Senate's decree.

And now the government being reduced to an *Interregnum*, and the people having declared *Spurius Lucretius* (the Father of *Lucretia*) *Inter-Rex*, the great and important question, the future form of government, was debated by the Leaders in the Revolution. And here again Brutus discovered himself to be a consummate politician: *Experience*, said he, has shewn us in the examples of *Romulus* and *Numa*, and other good Kings, that it is by no means proper that Rome should be without supreme Magistrates, to keep an even balance of the powers of the Senate and People; but it is necessary that the sovereign authority should neither center in one man, nor be perpetual; let it be divided between two, who may jointly make the interests of the publick their chief concern: they will be a check upon each other, and have a mutual emulation in the discharge of their duty. However, let us take particular care, not to continue their power too long, lest they abuse it, and become unwilling to part with it. Let us change the very names of King and Kingdom, and give the two heads that are to govern us, the name of *Consuls*, and the Roman State that of Republick. Let

* *Pomponius the Civilian* contends, that the name of *Consul* was taken from the word *consulere*, as signifying, *To watch for the publick good*. *Varro* derives this name from the same word *consulere*, but in a different signification,

namely, as importing to *consult*, or *ask counsel*, because the intent of those who first instituted the *Consuls*, was, that they should do nothing, but with the *advice*, or *counsel*, of the people, and the Senate. The law which

Year of
R O M E
CCXLIII.

TARQUIN
II.
Seventh
King.

Let us abolish the pompous ensigns of regal power, sceptres, crowns, and royal robes; let our Consuls only sit on an ivory chair, wear a white robe, and be attended by twelve Lictors^b. But what am I saying? I am not for utterly abolishing the venerable name of King, which was consecrated by the same auspices as Rome herself at her foundation. Let us give it to that Magistrate to whom we commit the superintendency of religion; let his office be for life, and let him be called King of Sacred Things^c. The whole council approved of this scheme; and the people, being again assembled by Curiae, established the new form of administration by a law.

But to lose no time, and to put the finishing hand to the revolution, the people were once more called together, not by Curiae, but by Centuries, and directed to come armed to the *Campus Martius*, in order to the election of the two first Consuls. There *Junius Brutus*, the warmest and most active of the patriots, and *Tarquinius Collatinus*, the husband of *Lucretia*, being proposed to the people by *Lucretius* the *Inter-Rex*, were unanimously chosen to the new dignity, the Romans believing they could no where find more irreconcilable enemies to the *Tarquins*. *Tullia*, now seeing that all was lost, and that she could no longer be safe in Rome, left it, to go to her husband. She was hooted at, and cursed by the populace as she passed through the city, yet they forbore to offer her any violence.

In the mean time *Tarquin* being informed by some who had got out of Rome before the gates were shut, that *Brutus* was raising commotions to his prejudice, came in all haste to the city, attended only by his

placed the Consuls at the head of the Republic, calls them also *Prætors* and *Judges*. We have this law yet remaining, as quoted by *Tully* in his *Third book of Laws*. When it was made in the *Comitia*, which changed the Monarchy into a Republic, it is said to have run thus: *Regio imperio duo sunt, sique præcundo, judicando, & consulendo, Prætores, Judices, Consules, appellantur. Militiæ summum jus habento. Nemini parento. Ollis salus populi summa lex esto.* C. & R.

^a The Consuls were only desired the common use of the sceptre, crown, and an habit of distinction. *Livy*, B. 30. assures us, that the Consuls, on the days of their triumphs, in the publick Sports, and at solemn Sacrifices, wore the crown of gold, the ivory staff or sceptre, and the habit striped with purple, as the Kings did. C. & R.

^b We read in the fourth book of *Valerius Maximus*, that the Consuls at first retained as many Lictors as the Kings, and that they had twenty-four. And he adds, that the Consul *Poplicola* reduced them to twelve. But each Consul was not attended with twelve Lictors; neither did they divide them so as to have each of them six. They were only guarded by the twelve Lictors alternatively, each in

this month. This we learn from *Livy*. This ceremonial began with the two first Consuls. The Consul, who was the elder, or had most children, or most suffrages for the Consulship, had the Lictors the first month. It appears by a line in *Virgil's* 6th Book of the *Æneis*, that *Brutus* was first attended with the *Fasces*, before his colleague *Collatinus*:

*Consulis imperium hic primas sævasque secures
Accipiet — C. & R.*

^c The *Rex Sacrorum*, or *Rex Sacrificulus*, was a considerable dignity among the Romans, though inferior to that of *Pontifex Maximus*. For fear the name of King should make him too proud, they made him but a subordinate officer, even in the affairs of religion. His wife was called Queen. This office was never conferred on any, but in the *Comitia* of the people, assembled in the *Campus Martius*, by Centuries. Nor could any but a *Patrician* be chosen for it. The King of the Sacrifices was not suffered to intermeddle with state-affairs. Inasmuch, that when, in the *Comitia*, the sacrifice over which he presided, was ended, he withdrew from the assembly. C. & R.

sons,

sons, and a few friends; but finding the gates shut, the people in arms upon the walls, and that *Lucretius* refused him entrance, he returned with equal expedition to the camp. There to his extreme surprize he found that the conspirators had, during his short absence, gained over the army to them. The Consuls not doubting but *Tarquin* would, upon the first notice of the revolt, hasten to the city, had sent letters to the camp, giving an account of the resolutions taken at *Rome*, and exhorting the troops to shake off the tyrant's yoke. These letters *Titus Herminius* and *Marcus Horatius* had read in a full assembly of the soldiers convened by *Centuries*, and the matter being put to the vote, it was unanimously agreed to adhere to the decree passed in the city; so that *Tarquin* being both driven from his capital, and rejected by his troops, was forced, at the age of seventy-six, to fly for refuge, with his wife and three sons, to *Gabii*, that city of *Latium*, of which he had formerly made his son *Sextus* governor, investing him with a kind of regal power. Here he continued some time; but not finding the *Latines* forward enough to espouse his cause, he retired into *Hetruria*, the country of his mother's family, where he hoped to find more friends, and a readier assistance for attempting the recovery of his throne.

^a *Livy*, (B. 1. c. 60.) says, that *Brutus* went in person to the camp on this affair, but to avoid meeting *Tarquin*, shunned the high road; and that he arrived before *Ardea* at the same time that *Tarquin* appeared at the gates of *Rome*.

^b *Tarquin's* first retreat, according to *Livy*, B. 1. c. 60. was to *Cære* in *Hetruria*, whither he was followed by only two of his sons. *Sextus* (he adds) retiring to *Gabin*, as his kingdom, was there slain by some of the inhabitants, in revenge of his former treachery and cruelties. *Livy* also makes *Sextus* to be the youngest of *Tarquin's* sons, whereas *Dionysius* makes him the eldest. The last-mentioned author brings *Sextus* frequently upon the stage after this time; nay he introduces him 14 years after the expulsion of his father, at the battle of *Regillus*, where he is killed. The actions which *Dionysius* ascribes to *Sextus* in that battle, the Fathers *Catrou* and *Rouillé* give to a fourth son of *Tarquin* named *Lucius*: yet neither *Dionysius*

nor *Livy* mention more than three sons of that King. *Livy*, B. 4. c. 52. calls *Sextus*, *minimus ex tribus*. D. Hal. B. 4. p. 273. makes *Brutus* say to the people in his speech on the affair of *Lucretia*, that *Tarquin* had three sons more wicked than himself: and B. 5. p. 279. *Tarquin* after his banishment wanders from place to place with his three sons. These three sons were *Sextus*, *Titus*, and *Aruns*. If indeed we suppose with *Livy* that *Sextus* was slain by the *Gabini*, and yet suppose with *Dionysius*, that *Tarquin* had two sons living at the battle of *Regillus*, we must unavoidably allow him to have had, in all, four sons; for it is agreed, that *Aruns* was killed in his encounter with *Brutus* in the first battle after the refuge: but it is to be observed, that *Dionysius*, who makes two of *Tarquin's* sons to be in the battle of *Regillus*, makes *Sextus* to be one of the two; and *Livy*, who supposes *Sextus* to be slain before this time, speaks but of one son of *Tarquin* in that battle.

Year of
R O M E
CCXLIII.

D. Hal. B.
4. p. 276.

p. 277.

B. 5. p.
279.

THE Roman History.

SECOND BOOK.

From the establishment of the ROMAN COMMON-WEALTH in the year of *Rome* 244, to the re-building of the City in 365, after the burning of it by the *Gauls*.

CHAP. I.

§. I. *The state and condition of Rome on the abolition of the Regal Power.*

§. II. *Tarquin prevails with the Magistrates of Tarquinii in Hetruria to send an Embassy to Rome in his favour, with a letter from him to the Roman people.*

§. III. *A second Embassy from the Tarquinieneses to the Romans. The Ambassadors engage some of the young Patricians in a plot against the new government. It is discovered by Vindicius a slave. Brutus condemns his own sons to death and sees the execution.*

§. IV. *Gollatinus is forced to abdicate the Consulship; and Valerius is chosen to succeed him.*

§. V. *Tarquin having stirred up the Tarquinieneses and Veientes to take arms in his cause, they come to a battle with the Romans, in which Brutus is slain.*

§. VI. *The people entertain a jealousy of Valerius's ambition, but soon after give him the name of Poplicola or Popular, on account of the laws he makes in their favour, to the diminution of the Consular Authority.*

Year of
R O M E
CCXLIV.
Ref. J. C.
DVIII.

JUNIUS
BRUTUS,
and TAR-
QUINIUS
COLLA-
TINUS
Consuls.

§. I. **T**HE banishment of the *Tarquins* delivered *Rome* from her domestick tyrants, but it raised her many enemies abroad, and, by occasioning the defection of her allies, reduced her empire almost within the same limits where *Romulus* had left it. What might properly be called the *Roman territory*, had always been confined to a very narrow circuit. In the space of 243 years, the *Romans*, though constantly victorious in war, had not gained *land* enough to supply their city with provisions. The main strength of the state lay in the *number of the citizens* of *Rome*, which the custom of transplanting the inhabitants of

the conquered cities thither had so prodigiously increased, that it put the *Romans* in a condition of usurping an authority over other nations, the most inconsiderable of which had an extent of country far exceeding theirs. By frequent incursions and depredations they so harassed the petty states of *Latium* and *Hetruria*, that many of them were constrained to enter into treaties with *Rome*, whereby they obliged themselves to furnish her with auxiliaries, whenever she should be pleased to invade and pillage the lands of her other neighbours. Submissions of this kind she called making alliances with her; and these useful alliances supplied the want of a larger territory. But now upon the change of her government, all her allies forsook her at once, and either stood neuter, or espoused the cause of the banished King; so that she was left entirely to herself to maintain the liberty she had assumed.

Year of
R O M E
CCXLIV.
Bef. J. C.
DVIII.

First Con-
sulship.

Rome however enjoyed a profound peace in the beginning of the new administration. The army which had been employed in the siege of *Ardea* marched home under the conduct of *Herminius* and *Horatius*, who had made a truce with the *Ardeates* for 15 years. Upon this increase of strength by the return of the troops which had served under *Tarquin*, the Consuls thought it expedient to convene the people again by *Centuries* in the *Campus Martius*; and when they had in long speeches exhorted them to concord, the decree, passed some days before against the *Tarquins*, was confirmed. Nor was this all. The Consuls standing before the altars where expiatory sacrifices had been just offered, took an oath in the name of themselves, their children and posterity, that they would never recall King *Tarquin*, nor his children, nor their posterity from banishment, nor create any other King of *Rome*, nor suffer any to be created; and they made the people take the same oath. After this the *Comitia* proceeded to elect a *Rex Sacrorum* to preside at the sacrifices; and many of the laws of *Servius Tullius* were revived to the great joy of the people, who were restored to their ancient right of deciding by their votes in all important affairs.

D. Hal. B.
4. P. 277.

B. 5. p.
277.

Livy, B. 2.
c. 1, 2.

D. Hal. p.
278.

Brutus, being jealous of some in the Senate, put all the Senators like wise to the test of an oath. In this venerable body *Valerius* was the man of the greatest weight. He had expected to be named Consul at the first election, and being highly displeased at the preference given to *Collatinus*, had for some time withdrawn himself from publick affairs; insomuch that he began to be suspected of favouring the banished King: But he removed these apprehensions, by the remarkable zeal he shewed for liberty, when the day came for the Senators to take the same oath which the people had taken. He was the first man who swore never to favour the pretensions of the *Tarquins*; and his actions soon after proved the sincerity of his oath.

Plut. in
Poplic. p.
97, 98.

§. II. IN the mean time the *Tarquins* were using their utmost endeavours to stir up the neighbouring states to take arms against *Rome*. Having

D. Hal. B.
5. P. 279.

* *Livy* and *Dion. Hal.* agree in fixing the Consulship of *Brutus* and *Collatinus* to the year of *Rome* 245; but the *Capito-*

line Tables, (which the Fathers *Catrou* and *Rouillé* constantly follow) fix it to the year 244.

wandered

Year of
R O M E
CCXLIV.
Bet. J. C.
DVIII.

First Con-
sulship.
Plut. in
Popl. p.
98.

wandered from city to city, the old King at length made *Tarquinius* in *He-
truria* his place of residence; and by moving words he so railed the com-
passion of the *Tarquinienses* as to engage them to send an Embassy to *Rome*,
with a modest, submissive letter from himself, directed to the *Roman* peo-
ple. The Ambassadors represented to the Senate in such strong terms the
reasonableness of letting the King be heard, before he was condemned, and
the danger which threatened the *Roman* state, from the neighbouring pow-
ers, if that common justice were refused, that the Consuls inclined to bring
these agents before the people, and leave the decision of the affair to the
Curia^a: But *Valerius* strenuously opposed so hazardous a proceeding, and,
by his influence in the Senate, defeated this first attempt of the artful
Tarquin. Indeed the Senate was most especially concerned for ever to ex-
clude Kings, who had often oppressed it; and the Consuls therefore thought
it proper to restore that venerable body to all its rights and prerogatives,
and to gain it the respect of the people, not only by the dignity but by the
number of its members, which *Tarquin's* murders and proscriptions had
greatly diminished. And to this end, wise men, and men of interest, were
fought out, amongst the *Roman* Knights, to fill up the vacant places; so
that the ancient number of 300 was once more compleated. The old Se-
nators had been styled *Patres*, or *Fathers*; and because these new ones were
put upon the same list with them, they were called *Conscripti*^b, i. e. Persons
written or enrolled together with them.

Livy, B. 2.
c. 3.

§. III. BUT notwithstanding all these prudent measures, the rising
Republick was upon the brink of being destroyed in its very beginning.
Many of the young *Patricians* having been accustomed to licentiousness
and pleasure, the austere form of a republican government, in which the
laws alone, always deaf and inexorable, were to reign, gave them greater
apprehensions than tyranny itself. They were fond of the flattering dis-
tinctions of a court, and could not bear the mortification of seeing them-
selves almost upon a level with the multitude. The sons of *Tarquin* build-
ing their hopes on these young debauchees, who regretted the loss of their
former companions in pleasure, prevailed with the *Tarquinienses* to send a
second Embassy to *Rome*, under pretence of demanding the estates of the

Plut. in
Popl. p.
98.

^a We have this account from *Plutarch*.
D. Hal. affirms, that *Brutus* had no regard
to the remonstrances of the Ambassadors.

^b These *Conscript Fathers* were called the
New Senate, *Novus Senatus*. And it appears
by *Livy's* words, rightly understood, that
the old Senators only were called *Patres*;
and that the new ones were distinguished
from them by the name of *Conscripti*. It is
true, *Dion. Hal.* gives the same name of *Pa-
tres Conscripti* to the first Senators, created by
Romulus: but this form, *Qui Patres, quique
Conscripti essent*, which was used when the
Senate was called together, sufficiently shews
the mistake of the Greek historian: So that
when we find in *Latin* authors, *Patres Con-*

scripti, used to express the Senate in general,
the words must be understood, as if they
were joined by a conjunction, *Patres, & con-
scripti*, i. e. *The Fathers*, and *those who have
been added to them*. *Festus* favours this opi-
nion, when he says, that those were called
Conscripti who had passed from the order of
Roman Knights into that of Senators. Thus
für Father *Reuillé*.

Plutarch in his life of *Romulus* says, that
the Senators were at first called simply *Patres*,
and when more were added to them, *Patres
Conscripti*: But this does not determine whe-
ther the latter appellation was given them
upon the addition made by *Tatius* the *Sabine*
King, by *Tarquinius Priscus*, or by *Brutus*.

exiles;

exiles; but with private instructions to spirit up a faction, if possible, to attempt the lives of the Consuls. The Ambassadors were admitted, and nothing could be more modest than the demands of the banished King. He asked only his paternal estate; and on that condition promised never to attempt the recovery of his kingdom by force of arms. The Consul *Collatinus* was for complying with the request; but *Brutus* opposed it. The affair, having been long considered by the Senate, was at last referred to the people. *Brutus* endeavoured to bring his Collegue, who was a relation of the *Tarquins*, under a suspicion of treachery. However, the opinion of *Collatinus* prevailed in the *Comitia*, and it was carried by a one vote, that the *Tarquins* should be put in possession of the estates of their family.

Whilst the people were employed in loading carriages with the effects of the exiles, and in selling what could not be carried off, the Ambassadors found means to draw some of the nearest relations of the Consuls into a plot against them. These were three young Noblemen of the *Aquilian* family (the sons of *Collatinus*'s sister) and two of the *Vitellii* (whose sister *Brutus* had married) and these latter engaged *Titus* and *Tiberius*, the two sons of *Brutus*, in the same conspiracy. They all bound themselves by solemn oaths, with the dreadful ceremony of drinking the blood of a murdered man, and touching his entrails. The house of the *Aquili* was their place of meeting, and there they all wrote letters to the banished King, which they put into the hands of the Ambassadors. But notwithstanding a great deal of precaution used by the conspirators, to keep the secret from their servants, *Vindicius* a slave, and then butler to the *Aquili*, suspecting his master's designs, staid at the door of the apartment, and through a crevice saw and heard all that passed. He durst not disclose the secret to either of the Consuls, on account of their near relation to the conspirators: he went strait to *Valerius*, and unburdened his mind to him. *Valerius* took the slave under his protection; and then, by the help of his brother *M. Valerius*, and of his own friends, clients and domesticks, not only seized the letters of the conspirators, but took all the heads of the conspiracy prisoners.

Early the next morning the people being summoned to the *Comitium*, where *Brutus* and his Collegue sat on the tribunal of justice, the prisoners were brought forth to trial. *Brutus* began it with the examination of his two sons. *Vindicius* appeared against them, and the letters they had written to the *Tarquins* were read. The proof being clear, the prisoners stood quite silent, and pleaded only by their tears. *Titus* and *Tiberius*, said the stern *Brutus*, *What have you to offer in your defence?* They were thrice called upon to plead, but tears were still their only answer. The major part of the Senators being touched with compassion, a low murmur was heard among them, *Banish them, banish them.* *Collatinus* wept, and even *Valerius* seemed to relent, because he said nothing. All the people stood trembling

* *Dionysius* must here mean, that there was 16 *Curia* against 14, because he tells us, that the affair was decided by the 30 *Curia*.

Year of
R O M E
CCXLIV.
Bef. J. C.
DVIII.

First Con-
sulship.

Plut. in
Popl. p.
100.

in expectation of the sentence. *Brutus* at length rose up, and with a steady voice, not interrupted by a sigh, said, *Lictors, I deliver them over to you, the rest is your part.* At these words the whole assembly shrieked; the universal consternation was inexpressible; distress shewed itself in every face, and the mournful looks of the people pleaded for pity: but neither these intercessions, nor the bitter lamentations of the young men, who called upon their father by the most endearing names, could soften the inflexible judge. The *Lictors* seized upon the criminals, beat them with rods, and then struck off their heads; *Brutus* all the time gazing on the cruel spectacle with a steady look, and a composed countenance. This execution over, he immediately ^a quitted the tribunal, and left his colleague to do the rest. *Collatinus*, being inclined to spare his nephews the *Aquillii*, allowed the prisoners a day to clear themselves; and ordered their slave *Vindicius* (the only evidence against them) to be delivered up to his masters. But this roused the indignation of the people, as well as the zeal of *Valerius*, who had promised with an oath to protect the witness. In vain did the *Lictors* attempt to force *Vindicius* from him; and the multitude called out for *Brutus* to return to the *Comitia*. When *Brutus* came, he told the people that what he had done was by virtue of his paternal authority over his children: but that for the rest of the delinquents, it belonged to them to determine their fate. Accordingly, by a decree of the *Curie*, the conspirators all suffered as rebels, except the Ambassadors, who were spared out of respect to the law of nations. As for *Vindicius*, the people judged him worthy of that liberty ^b he had secured to the *Romans*; and beside the privileges of

^a *Dion. Hal.*'s account of this matter differs from that of *Plutarch*. The former pretends, that *Brutus*, immediately after the execution of his children, had the *Aquillii* brought before him: that after their letters were read aloud, he gave them leave to make their defence; and that they, having nothing to say for themselves, had recourse to tears and entreaties; but to no purpose. For *Brutus*, still inflexible, ordered the *Lictors* to seize them, and carry them to execution. *Collatinus* suspended it, and made the warmest remonstrances to his colleague in favour of the conspirators: but being piqued when he found he could make no impression upon him, he had recourse to his authority, and pardoned the criminals. This so exasperated *Brutus*, that he committed the *Aquillii* to prison, in spite of the opposition of his colleague, and accused him before the people, of treason and perfidiousness. *Collatinus* seeing with grief, that the people were unanimously against him, and against those whose defence he had undertaken, thought he could no longer exercise the office of a Consul with dignity; and therefore chose to abdicate the magistracy, at the persuasion of *Spurius Lu-*

cretius, his father-in-law. *Collatinus* was succeeded by *Publius Valerius*. *Brutus* immediately, with the concurrence of his new colleague, put all those to death, who had been concerned in the conspiracy. *D. Hal.* p. 284.

^b It is commonly thought, and is probable enough, this Latin phrase, *Vindicare in libertatem*, had its rise from the name of *Vindicius*, who was made free by the Consul: But there are others, who will have it to be derived from the word *Vindicta*, which signifies a Wand, with which the *Prætor*, whose office it was afterwards to grant freedoms, struck the slave, whose master had a mind to set him at liberty. In order to reconcile these opinions, it may be said, that the Wand itself took its name from *Vindicius*. In the ceremony of granting freedoms publicly, (for there were private ones, which were granted either by will, or in the presence of witnesses) the master presented his slave to the *Prætor*, first holding him by the hand, and afterwards quitting his hold; whence came the Latin word *Manumisso*. Then, after he had given him a little blow on the cheek, he presented him to the Consul or to the *Prætor*: who striking him gently with his wand, pronoun-

of a Roman citizen, gave him ^a 23000 *Asses* of brass, (about 80*l.* 14*s.* 7*d.*)

Year of
R O M E
CCXLIV.
Bef. J. C.
DVIII.

And now, though the people had formerly decreed that the estates of the *Tarquins* should be restored to them, the Senate made no scruple to destroy their palace, and distribute their lands among indigent citizens; the publick only retaining a piece of ground (near the *Campus Martius*) which the King had usurped, and added to his demesnes. This piece of ground they consecrated to *Mars*, and it became afterwards a common field, where the Roman youth exerted themselves in running and wrestling. But after this consecration, the Romans scrupled to house the corn which they found there ready reaped to their hands; so that, with some trees, it was thrown into the *Tiber*, and the water being low, it stopped in the middle of the river, and began to form that fine island which was called *Insula sacra*, after many temples had been built on it.

First Con-
sulship.
Livy, B. 2.
c. 5.
Plutarch,
p. 100.
D. Hal. B.
5 p. 287,
288.

§. IV. THE severity with which *Brutus* had treated his two sons, greatly increased his authority, insomuch, that there was not a single Roman who durst for the future entertain a thought of bringing back *Tarquin*. *Collatinus* on the contrary, by his weak conduct with regard to the conspirators, had exasperated the Romans against him; his very name of *Tarquinius* became an offence to them. *Brutus* observing this, and hating his colleague, either on account of his relation to the *Tarquins*, or because there was some reason to believe he secretly favoured them, or perhaps only because he was of a character and temper different from his own, took advantage of the disposition the people were in to get him deposed. In a numerous assembly, he made a speech to them to this effect: *If, Romans, when you chose two Consuls, you could at the same time have united their sentiments and inclinations, there would have been no defect in the new government, and I should have had nothing more to wish. But it unfortunately happens, that there is as great a difference betwixt Collatinus and me, as between a hatred of tyranny, and a love of tyrants. His affection for his detestable family, makes him run all hazards to restore our oppressors; whilst I am profuse of my own blood to preserve the liberty of my country. Have not all Collatinus's thoughts, and the whole strength of his interest, been levelled at the destruction of that liberty, which his honour obliged him to defend? And you had hopes, he would defend it: but his soliciting you to restore the Ty-*

p. 284,
285.

ced these words: *Aio te liberum esse more Quiritium*. This ceremony being ended, the slave was registered upon the roll of Freed-men. Then he was shaved, and put on the cap called *Pileus*, which was worn by the Romans upon certain days. In order to make the taking possession of this kind of cap more solemn, it was performed in the temple of *Feronia*, the Goddess of the Freed-men. In one of these temples there was a stone seat, with this inscription on it: *Benemeriti Servi sedeat, surgant liberi*: and it is well known, that the *Pileus* was, a-

mong the ancient Romans, the sign and symbol of liberty. At the death of *Nero*, the people appeared in the streets with this cap on their heads. C. & R.

^a *Livy* says only, that a sum of money was given to *Vindicius*. It is here fixed at five and twenty thousand *Asses* of brass; because *Livy* himself, in B. 9. of his first *Decad*, has observed, that the reward appointed by law, for the slaves who should discover conspiracies, amounted to that sum; as that for freed-men did to a hundred thousand. C. & R.

Year of
R O M E
CCXLIV.
Bef. J. C.
DVIII.

First Con-
sulship.

rants their estates, and the impunity with which he was going to dismiss the conspirators, have discovered his secret inclinations and designs. What! Collatinus, have I refused to spare my own children, and shall I spare you? A man, whose body only is with us, and whose soul and affections are with our enemies? A perfidious man, who would preserve the betrayers of his country, and would destroy me for being its zealous defender? No, far from shewing you any indulgence, I declare you from this moment deposed from the magistracy; and I command you to retire to some other city. As for you, Romans, I shall without delay assemble you by Centuries, that you may confirm, if you think good, the sentence I have pronounced. You are free to chuse whether to have Collatinus or Brutus for your Consul; but be assured of this, you cannot have both.

D. Hal. B.
5. P. 286.

These words raised so great a commotion among the People, that they would scarce hear *Collatinus's* defence; In vain did he reproach *Brutus* with betraying his friend, and defaming his Collegue; no attention was given to his invectives. At length, by virtue of his authority as Consul, he forbade the holding that assembly of which *Brutus* had spoken. But this prohibition incensed the People yet more, and they cried out to have their votes instantly taken. *Collatinus* was just going to be deposed with ignominy, and banished by a publick decree, when his father-in-law, *Sp. Lucretius*, desired permission of the Consuls to speak to the Assembly, and obtained it. He is said to have been the first private man that ever made a speech in the *Comitia*. His age, and the remembrance of *Lucretia* his daughter, gained him attention; and he addressed himself first to his son-in-law: 'Tis in vain, *Collatinus*, to pretend, against the will of the People, to continue in the Consulship. You received it at first from them; and to them you ought now to resign it. As to the crimes, of which you are accused, you will more easily clear yourself by your future conduct, than by all your protestations, or by any thing you can say. If the People judge it necessary for their tranquillity that you should retire, do you shew your regard and deference for the publick by acquiescing in the publick sentiment. You should consider, that though with respect to all other crimes, it is only the actual commission of them that is cognizable by the justice of a nation; yet when treason against the State is but apprehended, and this upon never so ill grounds, it is held more prudent to guard against it, as an evil really impending, than to run the least hazard of destruction by too much security.

Then turning to *Brutus*, he pressed him not to insist on the disgraceful banishment of a Collegue, who had so happily joined with him in measures which had procured the common liberty; and he added, that if *Collatinus* would of his own accord divest himself of the Consulship, and retire from *Rome*, not only time ought to be allowed him to remove his effects, but a present made him out of the publick treasury, a mark of the People's good will, which might be a consolation to him under his misfortune.

p. 287.

This advice of *Lucretius* being received by the Assembly with applause, *Collatinus* became sensible that he had no way left but to conform himself to it; therefore when he had invoked the Gods to be witnesses of his innocence.

nocence, and of the ingratitude of his relations and friends, he resigned the *Consulship*. *Brutus* highly commended his wisdom, and to remove all suspicion of his having any personal enmity to him, procured him a present of twenty talents out of the publick treasury, to which he added five talents of his own. The place to which *Collatinus* chose to retire was *Lavinium*; where he lived in peace, and at last died of old age.

Year of
R O M E
CCXLIV.
Bef. J. C.
DVIII.

First Con-
sulship.

Brutus, that he might not give the *Romans* any cause to suspect that he intended to govern singly, and, under the name of Consul, aimed at the authority of a King, immediately assembled the Centuries in the *Campus Martius*, in order to proceed to the election of a new Consul, to fill the place of *Collatinus*. The Suffrages of the people were in favour of *Publius Valerius*, a descendant of that noble *Sabine* named *Valerius Volesus*, to whom *Plutarch* (as was before * observed) gives the honour of negotiating the Peace between the *Sabines* and *Romans*, in *Romulus's* time. *Publius* had got himself a great name by the means of his wealth and his eloquence; which latter he had, during *Tarquin's* reign, generously employ'd in the defence of justice, as he had done his riches in the relief of the poor; to whom he was ever easy of access. He was also remarkable for his frugality and temperance; and in all the parts of his conduct from his early years he discovered such a surprizing wisdom, that he seemed to have been born a Philosopher. The two Consuls, equally eminent for their love of the publick good, began their joint administration, by passing a law which granted a general Amnesty to all those who had followed the fortune of the *Tarquins*, provided they returned to the city within twenty days; and this brought back a great number of excellent subjects to *Rome*.

Plut. p.
100.
D. Hal. B.
5. p. 287.
P. 38.

§. V. HOWEVER, nothing could so far discourage the dethroned King, as to make him quit the Hope of recovering the Kingdom by force. He went about, soliciting the neighbouring Nations, and engaged the *Veientes* and *Tarquinienses* to unite their forces in the support of his cause. The first were moved to it by the hopes of regaining what they had lost in their former wars with *Rome*, having now at their head a *Roman* General of known courage and ability: And as for the *Tarquinienses*, the considerations of name and blood, and the glory of having a man of their own Nation King of *Rome* were to them sufficient inducements. These allies took the field and entered the *Roman* territory. The Consuls without delay marched out their troops to meet them; *Brutus* commanded the horse, and *Valerius* the foot drawn up in a square battalion. The two armies being in sight of each other, *Brutus* advanced with his cavalry at the same time that *Aruns*, one of *Tarquin's* sons, was coming forward at the head of the enemy's horse, the King himself following with the legions. *Aruns* no sooner discovered *Brutus* attended by the *Lictors*, but all inflamed with rage, he cried out, *There he is, that enemy who has banished*

Livy, B. 2.
c. 6.

D. Hal.
Liv. Val.
Max.
Plut. Popl.
p. 101.
Livy, ibid.
D. Hal. p.
289.

* According to Dr. *Arbuthnot*, who reckons but 60 *Minae* to a *Talent*, the 20 *Talents* amount to 3875 l. Sterling. *Livy* represents

Collatinus as resigning before the conspiracy, and *Valerius* as consul when it was discovered. B. 2. c. 2, 3.

Year of
R O M E
CCXLIV.
Bef. J. C.
DVIII.

First Con-
sulship.

Liv. B. 2.
c. 7.
Plut. *ibid.*

D. Hal. p.
291.
Plut. *ibid.*

Livy, B. 2.
c. 7.

D. Hal. p.
292.

Liv. B. 2.
c. 7.
Plut.
Popl. p.
102

us from our native country! See how gallantly he rides adorned with all the ensigns of my father's dignity! Now aid me, ye Gods, the avengers of injured Kings! This said, he instantly set spurs to his horse, making directly at the Consul, who perceiving his design made no less speed to meet him. Blindly following the dictates of hatred and passion, and regardless of self-preservation, they rushed on to the encounter, and with their lances ran each other through the body. They both fell dead from their horses; and the death of these Generals was the prelude to the battle. Never was the success of an engagement more dubious; for when the night had put an end to it, it was not known in either camp which side had gained the victory, or which had lost the greater number of men. A report was spread, that a voice had been heard out of the wood *Arfa*, declaring the *Romans* conquerors; a stratagem probably of *Valerius*. Be that as it will, it is certain that their enemies, very soon after the action, left their camp in confusion, disbanded, and returned into their own country. And it is said, that *Valerius*, remaining master of the field of battle, caused the slain to be numbered, and then found, that the *Hebrurians* had lost 11300 men, and the *Romans* only 11299.

Rome was inconsolable for the loss of *Brutus*; a hero who had restored liberty to his country, cemented it with the blood of his children, and died in defending it against the tyrant. The first funeral honours were paid him in the camp; but, the next day after *Valerius's* triumph, the corpse was brought into the *Forum* in a magnificent litter, and then *Valerius* gave *Rome* the first example of those funeral orations, which were ever after made in praise of great men. The Ladies distinguished themselves on this occasion. To shew their respect for the avenger of the sex's honour, they mourned for him a whole year, as if they had lost a common father.

§. VI. AS *Valerius*, for some reasons, deferr'd convening the Centuries for the election of a new Consul, this delay began to raise a distrust, as if it were owing to ambitious designs, a jealousy which seemed to be in some measure authorized by his then building a fine house on a steep part of the hill *Palatinus*, which overlook'd the *Forum*. The people considered it as a citadel, whence the new Monarch might command the city. But when *Valerius* was informed of their uneasiness, he ordered some workmen to go the very next night and pull down the fabrick to the ground; and calling the people together as soon as it was day, he expostulated with them about their unjust suspicions, and bid them go see the ruins of his house: He then told them he would fix his habitation in the valley, that from the top of the hill, where he had intended to dwell, they might crush him with stones, if he continued to be the object of their jealousy. This said, he ordered the *Comitia* to assemble for the election of a new Consul, in which he left them entirely free; and they chose *Lucretius*, the father of the unfortunate *Lucretia*. The people, as they came out of the *Comitia*, being ashamed of having suspected *Valerius*, complimented

mented him with a large ground-plot, in an agreeable place, and there they built him a house.

The new Consul died in a few days after his promotion, so that *Valerius* was once more sole Governor. And now the sensible proofs which, in the interval between the death of *Lucretius* and the election of another Colleague, he gave the people of his zeal for their interest, gained him the surname of *Poplicola*, or Popular; they called him by no other ever after. He ordered the Axes, which were apt to strike terror, to be taken out of the *Falces*; and commanded the *Lictors* to lower these in the assemblies of the People, by way of homage to their sovereignty. And this was a kind of introduction to a law, enacted while he was sole Consul, whereby an accused person was allowed to appeal to the People from the judgment of the magistrates. Another law was made, exempting artificers, widows, and old men (who had no children to relieve them) from paying tribute. A third law, tho' it prescribed an absolute submission to the orders of the Consuls, yet limited the penalty for disobedience to the value of five oxen and two rams (probably pieces of money with those figures stamp'd upon them.) And, to remove all manner of suspicion of his having the least thoughts of tyranny, *Poplicola* published a fourth decree, making it lawful to kill, without waiting for a legal condemnation, any person who should aim at being master of the liberty of his fellow-citizens, and so likewise in the case of usurping a publick office without the People's consent: The assassin was to be declared innocent, provided he brought proof of the ill designs of him he had slain^a.

Poplicola would not take upon him the keeping of the publick money, raised to defray the expences of war; but caused it to be deposited in the temple of *Saturn*^b; and by his advice, the people appointed two persons, elected out of the Senate, to take the charge of it. These officers

Year of
R O M E
CCXLIV.
Bef. J. C.
DVIII.

First Con-
sulship.
D. Hal. B.
5. p. 292.
Liv. B. 2.
c. 8.
Plut. Popl.
p. 102.

Plut. ibid.
103.

^a *Livy* represents these laws as made before the election of *Lucretius* to the Consulship. B. 2. c. 8.

^b The publick treasury was called *Atrarium*; because at first nothing was lodged in it but unstamp'd brags, which went by weight, and which was called *Æs rude*. Afterwards stamp'd pieces of brags were lodged there, which were called *Æs grave*, or *Æs leve*, according to the different weight of the several coins. This treasure had been kept at the houses of the Kings and Consuls, till the time of *Poplicola*, who removed it to the temple of *Saturn*, which was situated at the foot of the hill *Saturnius*, or the *Capitol*. In after-times, the publick treasury was divided into two branches; the one was called, *The Common Treasury*, or *Ærarium vulgare*; the other was called, *The Sacred Treasury*, or *Ærarium Sanctius*; in which the *Aurum vicefimarium* was reserved, for the extraordinary

occasions of the commonwealth. But of this in its proper place.

According to *Plutarch*, there were no *Quæstors* in *Rome*, till *Poplicola's* time; and this office was originally a branch of that of the Consuls. But *Ulpian* pretends, on the contrary, and quotes several authors for it, that there were *Quæstors* even in *Tullus Hostilius's* time. It was therefore to be observed, that the name of *Quæstors*, among the *Romans*, had two different significations. Sometimes it signified Commissioners, by whom capital crimes were cognizable, and sometimes Magistrates who were put in commission for getting in the publick money. *Ulpian* might speak of the former sort of *Quæstors*, as being in the time of the Kings, and *Plutarch* of the other sort, which was introduced by *Poplicola* in the time of the commonwealth. These latter *Quæstors* were chosen by the People assembled in *Comitia*. C. & R.

they

Year of
R O M E
CCXLIV.
Bet. J. C.
DVIII.

First Con-
sulship.

they afterwards called *Quæstors*. The first persons chosen to this office were *P. Veturius* and *M. Minucius*. When *Poplicola* had by these regulations done all he desired towards diminishing the Consular authority, he assembled the people in the *Gampus Martius*, for the election of a new Consul, to be his Collegue; and the choice fell upon *Horatius Pulvillus*.

C H A P. II.

§. I. *Poplicola is chosen Consul a second Time; and T. Lucretius appointed to be his Collegue.* *Porfena, King of Clusium in Etruria, sends a threatening embassy to Rome. The Romans chuse Poplicola Consul a third time, and give him Horatius Pulvillus for a Collegue.* §. II. *Porfena in conjunction with some of the Latine states, marches an army into the neighbourhood of Rome. The remarkable bravery of Horatius Cocles.* §. III. *The desperate enterprize, and wonderful resolution of Mucius Scævola. Porfena intimidated by the courage of the Romans, desists from his demand of having the banished King restored. He makes a truce with the Romans, who refer it to his judgment, whether they shall restore to Tarquin his paternal estate or not. The adventure of Clælia during the pleadings. Porfena renounces the cause of Tarquin entirely, and makes a peace with the Romans.* §. IV. *The temple of Jupiter Capitolinus is consecrated. Sp. Lartius and T. Herminius chosen Consuls. The Romans shew their gratitude to Porfena.*

Year of
R O M E
CCXLV.
Bet. J. C.
DVII.

Second
Consulship.
D. Hal. B.
5. p. 293.

IN a few months after the promotion of *Horatius*, the first year of the Consular power expired, and then the *Romans* thought fit, because of the present critical situation of their affairs, to chuse *Poplicola* again; and with him they joined *T. Lucretius*, the brother of the famous *Lucretia*. These began their administration by reviving the old institutions of King *Nervius Tullius*, the *Census* * and the *Lustrum*, and they

* The learned differ about the persons whose names were given in upon each *Roman Census*. Some will have it, that in this multitude, all the *Roman* citizens were comprehended, without excepting their wives, children, widows, orphans, or pupils. But is it credible, that the commonwealth, when *Rome* was become the capital of the world, should reckon but three hundred, four hundred, and never so much as five hundred thousand citizens, in all the *Roman* territory, and in the whole extent of its municipal towns? For we don't find that the most numerous *Census* ever exceeded five hundred thousand, for above seven hundred years together. O-

thers think that the number mentioned by the *Greek* and *Latin* authors, comprehended only the heads of families. But this opinion can't be supported. For, not to say that it cannot be reconciled with the account the historians give us, we shall never be persuaded, that under the Consulship of *Valerius*, for instance, the *Roman* state, which was confined within narrow limits, and extended little farther than the walls of *Rome*, should be able to reckon up a hundred and thirty thousand heads of families; and consequently, several millions of souls, including children, slaves, widows, orphans, pupils, strangers, &c. whose names were not taken down in the *Census*. It is therefore

they found the number of *Roman* citizens, at or past the age of puberty, to be 130000. As a war from the *Latine* quarter was what the *Romans*, at this time, chiefly apprehended, the Consuls at a great expence fortify'd *Sinquinum*, or *Sigiluria*, an important post on that side. However the first of the neighbouring powers that appeared, after the death of *Brutus*, in favour of the *Tarquins*, was *Porfena*, a potent Prince, King of *Clusium* in *Hetruria*. He sent a haughty and threatening embassy to the *Romans*, requiring them either to recall the *Tarquins*, or to give them back their estates. The first they absolutely refused, and as to the second, they answered, that it was impracticable; a part of those estates having been consecrated to *Mars*, and the rest divided among indigent people, from whom they could not be recovered.

While the *Romans* were employed in preparations for a brave defence, the time came for electing new Consuls, and then *Poplicola* was chosen a third time, and, with him, *Horatius Pulvillus*, who had before been a few months in that office.

§. II. *PORFENA*, attended by his son *Aruns* and the exiles, march'd towards *Rome* with a formidable army, and was join'd by a considerable body of *Latines*, under the command of *Mamilius*, *Tarquin the Proud's* son-in-law. The Consuls upon their approach made the peasants carry their effects into strong holds, and they endeavour'd to secure the hill *Janicu'um* which overlooked *Rome*, and was its only fortification on that side the *Tiber*. And to keep the populace in temper and spirit, the Senate made several agreeable regulations with respect to taxes and provisions, and took great care to provide for their subsistence during the war; they sent to several parts of *Campania*, and even to *Cume*, to fetch corn, which was afterwards sold to the common People at low rates, lest the want of bread should tempt them to purchase it with the common liberty, and open the gates of *Rome* to *Tarquin*. Nay the Senators, at the same time that they taxed themselves higher than any others; would lay no impost on the common people during the war; showing this generous and equitable maxim, "That the lower sort paid tribute enough to the Commonwealth by bringing up children who would in time be able to defend it." In a word, the *Romans* were all sensible of the difference of

therefore more reasonable to conclude, with *Fabius Pictor*, as quoted by *Livy*, that none but those who were able to bear arms, were included in this reckoning; i. e. those only who were about seventeen years of age, and under forty-six. Thus we are to understand *Dion. Hal* when, speaking of this fifth *Roman* Census, he says, that the number of those who were arriv'd to the age of puberty, amounted to an hundred and thirty thousand men. He speaks in much the same manner, whenever he mentions the Census, always excepting the women, children, orphans, handicraftsmen, slaves, and

people of mean trades, and low condition of life, who in earlier times of the Republick were excluded from the *Roman* militia; as we are inform'd by credible authors. And in short, if we do but consider, that at the end of *Romulus's* reign the *Roman* army consisted of forty-six thousand foot, and very near a thousand horse, it will not appear at all surprizing, that *Rome*, which was now become more powerful, and better peopled, should be able to raise an hundred and thirty thousand men; especially since the inhabitants of *Alba* and the other conquered cities had removed thither. C. & R.

Year of
ROME
CCXLVI.
Def. J. C.
DVI.

Third
Consulship.
D. Hal. B.
5. p. 294,
295.
Livy, B. 2.
c. 10.

the present government from the former, and all equally solicitous to avoid servitude; so that concord reigned in *Rome* even in the time of a famine with which it was grievously afflicted before the end of this war.

Porfena soon display'd his banners along the *Tiber*. His first attack was upon the fort of the *Janiculum*, and he drove the *Romans* out of it. Upon this, the Consuls made all their troops pass the river, and drew them up in order of battle to defend the bridge: and *Porfena* advanced to engage them. The victory was for a long time doubtful; but *M. Valerius* (*Poplicola's* brother) and *T. Lucretius* who were at the head of the left wing, being both unfortunately wounded, and carried out of the field, a general terror seized the *Roman* army. The bridge *Sublicius* was in a moment covered with runaways, who strove to gain the city. *Horatius Cocles* (nephew of *Horatius* the Consul) being joined by *Sp. Lartius* and *T. Herminius*, (who had commanded the right wing) these three gallant men, to hinder the enemy from pursuing the *Romans*, posted themselves at the entrance of the bridge, and for a long time bravely defended it. The defensive arms of *Lartius* and *Herminius* being at length broken, they retired; *Horatius* desiring them to advise the Consuls, from him, to cut the bridge at the other end. Then for a while he sustained alone the attack of the enemy. The heaps of dead bodies which had fallen by the hands of the three heroes formed a kind of rampart for him against close assaults, and with his buckler he covered himself from the missile weapons thrown at him. At length being wounded in the thigh, and the signal being given that the bridge was almost broken down, he leapt into the river, and swam across it through a shower of darts. Thus *Cocles* saved the Republick from ruin; and the *Romans* being sensible of it, erected a statue of brass to him in the temple of *Vulcan*. They gave him likewise as much land as he himself, with one yoke of oxen, could plough in one day. And each of the inhabitants of *Rome*, to the number of 300000, gave him the value of as much food as each consumed in a day. But notwithstanding all this, because he had lost one eye, and from his wounds continued lame the remaining part of his life, these defects prevented his ever being elected to the Consulship, or to any military command.

D. Hal. p.
296.

p. 297.

Though the city was not entirely invested, but had several avenues open, it was very difficult to find provisions for so great a number of inhabitants, as could hardly subsist there in time of peace; and a famine began to be severely felt. *Porfena*, having notice of it, sent the *Romans* word, that if they would receive their old masters, he would furnish them with provisions; to which they returned this answer, *that hunger was a less evil than slavery and oppression*.

Livy, B. 2.
c. 12.

Plut. Popl.
p. 106.
D. Hal. B.
5 p. 298.

§. III. NEVERTHELESS *Rome* was almost wearied out with this long siege, when *Mucius Cordus*, a young *Roman* of noble birth, desired permission of the Consuls and Senate to cross the *Tiber*, and go into the enemy's camp, there to attempt something for the service of his country; and he begged, as his only recompence, that, in case he fell

in

Year of
R O M E
CCXLVI.
Def. J. C.
DVI.

Third
Consulship.

in the dangerous enterprize, his zeal might not be buried in oblivion, but proclaimed after his death. The Consuls and Senate having encouraged him to undertake any thing in the present exigence, he dressed himself in an *Hebrurian* habit, and, with a ponyard hid under his clothes, left the city. As he spoke the language of the *Hebrurians* perfectly well, he easily got into their camp, and made his way quite to the King's tent. It happened to be the day, on which the troops were reviewed and paid. *Porfena's* secretary, magnificently dressed, was sitting on the same tribunal with the King, giving audience, and receiving petitions. *Mucius* mistook him for the King himself, leaped upon the tribunal, and with one stroke of his ponyard laid him dead at the King's feet. He then attempted to escape, but was seized, and brought back to the presence of *Porfena*. *Thou execrable villain*, said the King, *vabo art thou, whence comest thou? Who are thy accomplices?* *Mucius*, with a haughty look that struck more terror than it expressed fear, answered, *that his name was Caius Mucius; that he was a Roman; and that Roman bravery made him capable of attempting whatever man could do, and of suffering whatever man could endure.* *Porfena* filled with amazement at his answer, was yet more astonished when he saw him with a steady countenance, and a look which testified his inward rage for having missed his aim, thrust his right hand into a pan of burning coals, and there let it broil, without shewing any signs of pain. The King's resentment changed wholly into admiration; he granted him life and liberty, and even restored him the dagger with which he had designed to stab him; and because *Mucius*, having now lost the use of his right hand, took it with his left, he had thence the surname of *Scævola*, i. e. left-handed.

The *Roman* was no less surprized at the King's generosity than the King had been at his intrepid boldness: However, he had the presence of mind to invent a story for the service of his country. He pretended to be moved by the King's goodness to discover to him a secret, which, he said, no torments could have extorted from him. *That three hundred young Romans, all as resolute as himself, and who were dispersed in the Hebrurian camp, had bound themselves by the most sacred oaths, to attempt his life one after another, at the like hazard as he had done.* This discourse struck *Porfena* once more with terror, and having ordered *Mucius* to withdraw, he called a council to deliberate upon the best means to preserve himself from the dangers with which he was threatened. His son *Aruns*, a great admirer of the *Roman* virtue, advised him to render all precautions needless, by concluding a peace with the *Romans*. The King readily listened to this proposal, and the more readily as the *Romans*, in a rally out of the town, had destroyed a great many of his troops; which occasioned a murmuring in the camp: Deputies were sent to *Rome*, who had orders not to mention the recalling of the *Tarquins*, but only to insist on a restitution of their estates, or an equivalent; and as to what concerned the *Hebrurian* nation, to require the *Romans* to reinstate the *Veientes* in the possession of seven villages taken from them in former wars. *Poplicola*,

D. Hal B.
5. P. 300.

Year of
R O M E
CCXLVI
Bef. J. C.
DVI.

Third
Consulship.

Plut. Vit.
Popl. p.
106.

D Hal B
5 p 302.
Plut. ibid
p 107.

zealous to have the people relieved in their misery, prevailed with the Senate to comply with these conditions : but the people themselves refused to consent to the first article, till *Porfena* had heard their cause pleaded against the *Tarquins* ; and to his arbitration they left it. As to the second, they readily agreed to it, and offered hostages to secure its performance.

A truce being made, the *Romans* deputed some of the Senators to plead their cause before the *Uetrurian* King, and, at the same time, sent ten young virgins, and as many boys, of the best families in *Rome*, for hostages : But then the *Tarquins* refused to admit *Porfena* for a judge between them and the *Romans*. The King however resolved to inform himself in the affair, and made his son *Aruns* his associate for the hearing and deciding it. The *Roman* deputies had scarce begun to open the cause, when the proceeding was interrupted by news brought, that the young women, given as hostages, had ventured to swim cros the *Tiber*, and were returned to *Rome*. They had been permitted to bathe in the river ; where the famous *Clelia*, (one of the number) happening to turn her eyes towards her native city, took a longing to go back to it. Away she swims, the rest follow her, and they all get safe to the opposite shore^a. When the truth of the matter was known, it served only to increase the esteem which *Porfena* and *Aruns* had for the *Roman* bravery. But in the mean time *Poplicola* was very uneasy at the return of the young women, among whom was his own daughter *Valeria*. He dispatched a deputation to the *Uetrurian* camp, to excuse the folly of the girls, and with a promise to send them back. *Mamilius* and the *Tarquins* having notice of this, prepared an ambush to surprize them on the road ; and when the *Roman* maids, under the guard of a few horiemen, were almost at the gates of *Porfena's* camp, they appeared on a sudden with a considerable body of horse and fell with fury upon the weak convoy. *Poplicola* had by good fortune put himself at the head of the *Roman* troop ; he sustained the attack of the enemy with incredible valour, while his daughter *Valeria*, exceedingly terrified, rode full speed to the *Uetrurian* camp, and gave notice of the danger her father was in, and then *Aruns*, with a great body of cavalry, flying to his relief, the assailants were soon routed.

This attempt of the *Tarquins* greatly displeased *Porfena*, and gave him a strong suspicion of the badnels of their cause. He summoned the chief officers of his army, and, in their presence, heard the complaints of the *Romans* ; who enlarged on all the crimes committed by their tyrants, from the assassination of King *Servius*, to the violence committed on the chaste *Lucretia*. The *Uetrurians* were filled with horror ; and *Porfena*, renouncing all alliance with the *Tarquins* and *Mamilius*, ordered them to leave his camp. He then commanded the ten young virgins to be brought before him, and enquired who was the first author of their enterprize. *Clelia*, with a fearless air, confessed, that she alone was guilty, and that she had emboldened the rest by her advice. The King, as much surprized with her steadiness, as with her courage, addressed himself to her in a gracious

^a *Livy* adds, that they passed the River through a shower of *Uetrurian* darts.

manner, extolled her adventure above the bravery of *Horatius*, and the intrepidity of *Mucius*, and made her a present of a fine horse with sumptuous furniture. After this he concluded a peace with the *Romans*, restored them all their hostages, and told the Consul, that he looked upon the *Roman* probity as the best guarantee of the treaty.

YEN OF
ROME
CXLVI
BET J C.
DVI

And now *Porfena* being to return to *Clusum*, signalized his departure from the neighbourhood of *Rome* by an act of liberality, which the noble manner of it made the more agreeable to the *Romans*. He ordered his *Iturians* to leave behind them their tents furnished with all sorts of provisions, and other valuable effects, and to carry nothing away with them but their arms. *Rome* was hereby much relieved in her wants; and the *Romans*, on this occasion, took up a custom, whenever any effects belonging to the publick were to be sold, of proclaiming them by a herald, in the following words, *These are Porfena's goods*; the intention of which was, to preserve the memory of that Prince's kindness; and it also signified, that the effects exposed to sale would be sold cheap. More than this, the Senate set up a brazen statue of the King near the *Comitum*, and sent an embassy to him with a present of a throne, a sceptre, a crown of gold, and a triumphal robe.

Third
Consulship
D Hal 1
503
Liv B 2.
C 13
Plut Popl.
p 107.

§ IV. WHILEN, after the departure of *Porfena*, the *Romans* rewarded those who had behaved themselves well in the siege, and particularly *Mucius Scaevola*, to whom they gave a large piece of ground, and erected a statue, their next care was to shew their gratitude to the Gods, by some publick act of religion. The temple of *Jupiter Capitolinus*, though finished, had not yet been consecrated. It naturally belonged to one of the Consuls to perform the ceremony, and it must prove an immortal honour to whoever should do it. Had the election of the consecrator been in the people, *Poplicola* would undoubtedly have carried it; but it was the Senate's right to nominate the man, and they being grown envious, and jealous of *Poplicola*, sent him upon a slight expedition, and, in his absence, commissioned his Collegue to dedicate the temple.

D Hal 2.

32

p 10

told,

* These presents being of the same kind with those which the *Iturians* are represented to have sent to Tarquin the elder by way of recognizing their sovereignty over them, as a people full of good ground to believe, that *Porfena* took *Rome*, and totally subjugated the *Præmians*. Tacitus speaks of it as a well known, that the city surrendered to *Porfena*. *Ann. 1. Optimi Maximi* [the capit. 1] *auspicato a Majoribus pignus imperii contulit, quoniam Porfena DEDITA URPI, neque G. H. agere minus potuissent, &c.* L. 3. c. 17. Hist. and *Pliny* says, that in the treaty which *Porfena* granted the *Romans*, an express stipulation is found, that they should make no use of non but for the

business of agriculture. *In se his quæd ex-pulsis Regibus, populo Romano dedit Porfena, nominatum comprehensum invenimus, se gerere nisi in agricultura uterentur.* L. 34. c. 14. 6. ^a The honour of dedicating a temple was a mark of distinction, which the gentlemen of *Rome* earnestly solicited. This office, in the earliest times of the Commonwealth, belonged to him of the two Consuls, whom the Senate should appoint. Afterwards the people assembled by Tribune named the consecrator. At length the right of nominating was again in the Senate, and this even in the time of the *Roman* Emperors. The dedication of a temple was a solemn festival, accompanied with extraordinary rejoicings.

Year of
R O M E
CCXLVI.
Bef. J. C.
DVI.

Third
Consulship.
Plut. Popl.
p. 104.

told, that just as *Horatius* was beginning, at the door of it, to pronounce the form of consecration, *Poplicola's* brother *Marcus*, who had watched his opportunity, cried out, *Thy son, O Consul, lies dead in the camp*: The thing was false, but he hoped by these words to avert him from his purpose. *Horatius*, without shewing the least emotion, only answered, *Then cast the body where you please, & admit not of mourning*, and finished the consecration. Thus *Poplicola*, in the close of his third Consulship, received a sensible mortification: And no necessities of state obliging the people

The altars were then adorned with flowers and garlands; sacrifices were offered up, and hymns sung to instruments. The Magistrate who was to preside at the ceremony, gave the college of the *Pontifices* notice of the day of the dedication. He summoned the *Pontifex Maximus* to appear at the temple, and pronounce the words of consecration: after whom, this magistrate repeated them, word for word, with his hand upon the side-post of the door of the temple. He was obliged to be extremely exact in doing it. A syllable forgotten, or ill-pronounced, gave the people an alarm, and they thought it an inauspicious omen to the consecrator. Therefore *Metellus*, the *Pontifex Maximus*, who had an impediment in his speech, was several months learning to articulate the word *Opifera*. It was not lawful to appear at this solemnity in mourning, but only in white clothes.

The name of the magistrate who performed the ceremony of the consecration, was usually inscribed on the frontispiece of the Temple. Thus far *F. Cat.* and *Rouillé*.

It may be proper here to take notice once for all of the general names by which the places set apart for divine worship are called in ancient authors.

Templum was a place which had not been only dedicated to some Deity, but withal formerly consecrated by the *Augurs*.

Aedes Sacra, were such as wanted that consecration; which if they afterwards received, they changed their names to temples. Vid. *A. Gell. L. 14. c. 7*.

Delubrum, according to *Servius*, was a place that under one roof comprehended several Deities.

Ædicula is only a diminutive, and signifies no more than a little *Aedes*.

Sacellum may be derived the same way from *Aedes Sacra*. *Festus* tells us, 'tis a place

sacred to the Gods, without a roof. *Ken. Antig. Part 2. B. 1. c. 3*.

'Twere endless (adds Mr. *Kennet*) to reckon up but the bare names of all the temples we meet with in authors. The most celebrated on all accounts were, the *Capitol* and the *Pantheon*.

The *Capitol*, or temple of *Jupiter Capitolinus*, was the effect of a vow made by *Tarquinius Priscus* in the *Sabine* war (a). But he had scarce laid the foundations before his death. His nephew, [son, or grandson] *Tarquinius the Proud*, finished it with the spoils taken from the neighbouring nations (b). But upon the expulsion of the Kings, the consecration was performed by *Horatius* the Consul (c). The structure stood on a high ridge, taking in four acres of ground. The front was adorned with three rows of pillars, the other sides with two (d). The ascent from the ground was by an hundred steps (e). The prodigious gifts and ornaments, with which it was at several times endowed, almost exceed belief. *Suetonius* (f) tells us, that *Augustus* gave at one time two thousand pound weight of gold: and in jewels and precious stones, to the value of five hundred sesterces. *Livy* and *Pliny* (g) surprize us with accounts of the brazen thresholds, the noble pillars that *Sylla* removed hither from *Athens* out of the temple of *Jupiter Olympus*; the gilded roof, the gilded shields, and those of solid silver; the huge vessels of silver, holding three measures; the golden chariot, &c. This temple was first consumed by fire in the *Marian* war, and then rebuilt by *Sylla*; who dying before the dedication, left that honour to *Quintus Catulus*. This too was demolished in the *Vitellian* sedition. *Vespasian* undertook a third, which was burnt down about the time of his death. *Domitian* raised the last and most glorious of all; in which

(a) *Liv.* lib. 1.
(f) In *August.* cap. 30.

(b) *Ibid.*

(c) *Plutarch* in *Poplicol.*
(g) *Liv.* lib. 10, 35, 38.

(d) *Diorys. Halicar.*

(e) *Pliny*, lib. 33, &c.

(f) *Tacitus.*

people to continue him longer in office, *Sp. Lartius*, and *T. Herminius*, (who had distinguished themselves in the war with *Perſena*) were choſen Conſuls for the next year.

The new Conſulſhip proved a year of peace; the only remarkable thing the *Romans* did was ſhewing that they were a grateful people. *Aruns*, the

Year of
R O M E
CCXLVII.
Bef. J. C.
DV.

Fourth
Conſulſhip.

the very gilding amounted to twelve thouſand talents (*b*). On which account *Phylarch* (*a*) hath obſerved of that Emperor, that he was like *Midas*, deſirous of turning every thing into gold. There are very little remains of it at preſent, yet enough to make a *Chriſtian* church (*k*).

The *Pantheon* was built by *Marcus Agrippa*, ſon-in law to *Auguſtus Cæſar*; and dedicated either to *Jupiter Uitor*, or to *Mars* and *Venus*, or more probably to all the Gods in general, as the very name (*quæſi τὸν πάντων θεῶν*) implies. The ſtructure, according to *Fabius* (*l*) is an hundred and forty feet high, and about the ſame breadth. But a latter Author hath increaſed the number of feet to an hundred fifty-eight. The roof is curiouſly vaulted, void places being left here and there for the greater ſtrength. The rafters were pieces of braſs of forty feet in length. There are no windows in the whole edifice, only a round hole at the top of the roof, which ſerves very well for the admiſſion of the light. Diametrically under is cut a curious gutter to receive the rain. The walls on the inside are either ſolid marble, or in-cruſted (*m*). The front on the outside was covered with brazen plates gilt, the top with ſilver plates, which are now changed to lead (*n*). The gates were braſs, of extraordinary work and bigneſs (*o*).

The temple is ſtill ſtanding with little alteration, beſides the loſs of the old ornaments, being converted into a Chriſtian Church by Pope *Boniſace* III. (or, as *Polyæor* *Virgil* (*p*) hath it, by *Boniſace* IV.) Dedicated to *St. Mary*, and all Saints, tho' the general name be *St. Mary de Rotonda* (*q*). The moſt remarkable difference is, that whereas heretofore they aſcended by twelve ſteps, they now go down as many to the entrance (*r*).

The ceremony of the confecration of temples (a piece of ſuperſtition very well worth our notice) we cannot better apprehend, than by the following account which *Tacitus* gives us of that ſolemnity, in reference to the *Cæ-*

pitol, when repaired by *Veſpaſian*: Though perhaps the chief rites were celebrated upon the entire raiſing of the ſtructure, this being probably intended only for the hollowing the floor. *Undecimo Kalendas Julius* (*s*), &c.

Upon the 21ſt of *June*, being a very clear day, the whole plot of ground deſigned for the temple, was bound about with fillets and garlands. Such of the ſoldiers as had lucky names, entered firſt with boughs in their hands, taken from thoſe trees which the Gods more eſpecially de-lighted in. Next came the *Veſtal* Virgins, with boys and girls whoſe fathers and mothers were living, and ſprinkled the place with brook-water, river-water, and ſpring-water. Then *Helvidius Pruſcus* the *Prætor*, (*Plautus Elian*, one of the chief Priests, going before him) after he had performed the ſolemn ſacrifice of a ſwine, a ſheep, and a bullock, for the purgation of the floor, and laid the entrails upon a green turf, humbly beſought *Jupiter*, *Juno*, *Minerva*, and the other Deities, Protectors of the empire, that they would be pleaſed to proſper their preſent undertaking, and accompliſh, by their divine aſſiſtance, what human piety had thus begun. Having concluded his prayer, he put his hand to the fillets, to which the ropes, with a great ſtone faſtened in them, had been tied for this occaſion; when immediately the whole company of Priests, Senators, Knights, with the greateſt part of the common people, laying hold together on the rope, with all expreſſions of joy, drew the ſtone into the trench deſigned for the foundation, throwing in wedges of gold, ſilver, and other metals, which had never endured the fire.

Some curious perſons have obſerved this ſimilitude between the ſhape of theſe old temples, and our modern churches: That they had one apartment more holy than the reſt, which they termed *Cella*, answering to our chancel or choir: That the porticos in

(*l*) *Phylarch* in *Publicol.* (*i*) *Ibid.* (*k*) *Fabius Romæ*, cap. 9. (*s*) *Ibid.* (*m*) *Marlian. Topop. Rom. Antiqu. lib. 6. cap. 6.* (*n*) *Ibid.* & *Fabius, Romæ*, cap. 9. (*o*) *Marlian. ibid.* (*p*) *Lib. 6. cap. 8.* (*q*) *Fabius, cap. 9.* (*r*) *Ibid.* (*t*) *Hiſt. lib. 4.*

Year of
R O M E
CCXLVII.
Bef. J. C.
DV.

Fourth
Consulship.
D. Hal. p.
304.
Liv. B. 2.
c. 14.
* In Latinum

son of *Porfena*, being an amiable youth, his father was desirous to have him gain some glory before he disbanded his troops, and therefore gave him the command of them, while he himself returned to *Clusum*. The young Prince, eager to obtain a first victory, fell furiously upon the *Aricians**, and routed them; but he was afterwards defeated by a strata-

the sides were in all respects like to our isles, and that our *Navis*, or body of the church, is an imitation of their *Basilica* (t).

There are two other temples particularly worth our notice; not so much for the magnificence of the structure, as for the customs that depend upon them, and the remarkable use to which they were put. These are the temples of *Saturn* and *Janus*.

The first was famous upon account of serving for the publick treasury: The reason of which some fancy to have been, because *Saturn* first taught the *Italians* to coin money; or, as *Plutarch* conjectures, because in the golden age under *Saturn*, all persons were honest and sincere, and the names of *Fraud* and *Corruptness* unknown in the world (u). But perhaps there might be no more in it, than that this temple was one of the strongest places in the city, and so the fittest for that use. Here were preserved all the publick registers and records, among which were the *Libri Elephantini*, or great ivory tables, containing a list of all the *Tribes*, and the schemes of the publick accounts.

The other was a square piece of building (some say of entire brass) so large as to contain a statue of *Janus* five feet high; with brazen gates of each side, which used always to be kept open in war, and shut in time of peace (w).

But the *Romans* were so continually engaged in quarrels, that we find the last custom but seldom put in practice.

First, all the long reign of *Numa*. Secondly, *A. U. C.* 519, upon the conclusion of the first *Punic* war. Thirdly, by *Augustus*, *A. U. C.* 725, and twice more by the same Emperor, *A. U. C.* 729. And again about the time of our Saviour's birth. Then by *Nero*, *A. U. C.* 811. Afterwards by *Vespasian*, *A. U. C.* 824. And lastly, by *Constantius*, when, upon *Magnentius's* death, he was left sole possessor of the Empire, *A. U. C.* 1105 (x).

Of this custom *Virgil* gives us a noble description:

*Sunt geminae belli portas sic nomine dicunt,
Religione sacrae, & facies formidinae Martis:
Centum arva claudunt vinctes, aeternaque ferri
Robora; nec clypeis alijdet lumine Janus.
Illi tibi certe fides paribus potentia pugnae;
Ipse, Quirinali tabulis innotat e Gallo
Ingenis, referat prodigia limina Coelae.
Ipsi volet pugnas (y).*

Accord to *Mars* two stately gates appear,
Made awful by the dread of arms and war:

An hundred brazen bolts from impious
pow'r,

And everlasting bars the domé secure,
And watchful *Janus* guards his temple
door.

Here, when the fathers have ordain'd to try
The chance of battle by their fix'd decree,
The Consul, rich in his *Gabinian* gown,
And regal pall, leads the procession on;
The sounding hinges gravely turn about,
Rouze the imprison'd God, and let the fu-
ries out.

The superstition of consecrating groves and woods to the honour of the Deities, was a practice very usual with the ancients: For, not to speak of those mentioned in the Holy Scripture, *Pliny* assures us, That trees in old time served for the temples of the Gods. *Tacitus* reports this custom of the old *Germans*; *Q. Curtius* of the *Indians*, and almost all writers of the old *Druids*. The *Romans* too were great admirers of this way of worship, and therefore had their *Luci* in most parts of the city, generally dedicated to some particular Deity.

The most probable reason that can be given for this practice, is taken from the common opinion, That Fear was the main principle of devotion among the ignorant Heathens. And therefore such darksome and lonely seats, putting them into a sudden horror and dread, made them fancy that there must necessarily something of divinity inhabit there, which could produce in them such an awe and reverence at their entrance. *Ken. 1b.*

(*) *Polletus Hist. Rom. Fiori.* 1b. 1. cap. 3. (u) *Plutarch.* in *Probo* an. (v) *V. d. Mariian.* *Topog. Rom. Antiq.* 1b. 3. cap. 8. (x) *Vid. Casaubon.* Not. ad *Sueton.* *August.* cap. 2. (y) *Virg. Aen.* 7.

gem of the *Cumans*, their allies, commanded by more experienced officers. He lost his life; and his scattered troops took refuge in the villages about *Rome*. The Consuls invited them to the city, sent carriages for the wounded, made provision for their cure at the publick expence, and allotted a quarter in the city for those of them who were willing to settle in it. It was afterwards called the *Tuscan* or *Hetrurian Street*.

Year of
R O M E
CCXLVII.
Bef. J. C.
DV.

Fourth
Consulship.
* From
Campania.

C H A P. III.

§. I. *The Romans, in the Consulship of M. Valerius, (brother of Poplicola,) and P. Posthumius, make war against the Sabines, and twice defeat them.*
§. II. *The Sabines unite in a national body against Rome, where Poplicola is chosen Consul a fourth time. Appius Claudius leaves the Sabines and comes over to the Romans, with all his followers and dependants. The Sabines are again defeated.* §. III. *Poplicola dies. The Sabines upon his death take courage, and renew the war, in the Consulship of P. Posthumius and Menenius Agrippa, who obtain a signal victory over them.* §. IV. *An OVATION only is decreed to Posthumius, but a Triumph to Menenius.* §. V. *The Sabines are subdued in the succeeding Consulship of Sp. Cassius and Opiter Virginius.*

§. I. **R**OME, since the new modelling of her government, being, as we have already seen, utterly destitute of allies, and always apprehensive lest the ill-extinguished fire of the royalist party should break out into a new flame, the *Sabines*, who knew her weak condition, thought this a favourable opportunity to put it out of the power of that imperious city to give law any more to her neighbours. They began the war by incursions and depredations on the *Roman* lands. *M. Valerius* (brother of *Poplicola*) and *P. Posthumius* were now Consuls; and before they would have recourse to arms, they sent envoys in an amicable way to demand satisfaction of the *Sabines* for the injuries the Republick had suffered; but receiving only a contemptuous answer, they both took the field. The *Roman* forces were divided into two bodies. *Posthumius* with one of them encamped near *Rome*, to prevent a surprize from the *Tarquins*, who had many friends in the city. *Valerius*, with the other, posted himself at *Tibur* upon the *Anio*, the enemy being encamped on the opposite shore. That part of the river, near which they lay, being by an accident found fordable, *Valerius* made all his troops pass, and drew them up in battalia on the same side with the enemy. A general engagement quickly ensued. *Valerius*, assisted by the counsels of his brother, gained some advantage with his right wing, but his left lost ground; it was almost pushed into the river, when *Posthumius* having notice of the action, came seasonably to the relief of the *Romans*, charged the enemy in flank, and recovered the day. The *Sabine* troops would have been entirely cut off, or made pri-

Year of
R O M E
CCXLVIII.
Bef. J. C.
DIV.

Fifth
Consulship.
D. Hal. B.
5. p. 305,
306, 307.
Liv. B. 2.
c. 16.

soners, if the night coming on had not given them an opportunity to escape. They left their camp to be plundered, and in separate parties returned home. This was the first considerable advantage *Rome* gained over her enemies after she became a Republick, and it revived the old *Roman* confidence. The two Generals were decreed a triumph; but they both entered *Rome* in the same chariot. As a further reward for *Valerius*, (who is said by *Plutarch* to have gained in this same year a second victory over the *Sabines*, in which he slew 13000 of them without the loss of one *Roman*) the Republick built him a house, the door opening outwards to the street; whereas the doors of all other houses opened inwards. The design of this distinction was not only to do him honour, but to put him in mind, as often as he went in or out, that he was indebted to the publick for his house. As for *Posthumius*, he was honoured with a privilege, never before granted to any, which was, to have a burial place for himself and his family, within the walls of *Rome*. Thus did the first *Romans* keep up an emulation among their Generals, rather by distinguishing marks of honour, than substantial rewards. They did not heap wealth upon them, but taught them to prefer the glory, which attends great actions, to exorbitant riches, which often give umbrage, and are always odious in a Republick.

§. II. THE *Sabines* the next year having formed the design of uniting in a national body against *Rome*, and of engaging the *Latines* to assist them, the *Romans* thought it advisable to chuse *Poplicola* Consul a fourth time, and they once more joined *T. Lucretius* with him. But it happening at this time, that some women were delivered of monstrous or imperfect births, the people gave way to superstition, and were unwilling to enter upon action, imagining by these presages, that it must prove a fatal year. Upon this, *Poplicola* caused the *Sybil's* books to be consulted, and he interpreted the answers in the sense that best suited his purpose; he likewise ordered sacrifices to be offered to *Pluto*, the festivals and sports to be revived, and in a word, by artful management removed the publick fears.

In the mean while, the storm continued to gather on the side of the *Sabines*. One of the *Tarquins* had, by his intrigues, put in motion the turbulent and factious members in their assemblies. *Poplicola* endeavoured therefore to bear down the interest of the banished King, by negotiation; and he so far succeeded as to gain over *ACTIUS CLAUSUS*, (the most considerable man in *Sabinia*, and of the greatest talents and merit) to oppose the design of renewing the war. He spoke in all the *Sabine* diets against it; and his opposition had its due weight. But those who envied him for his wealth and power, took occasion from this proceeding to put a bad construction on the good understanding he had with the *Romans*; and they spread by degrees such a jealousy and distrust of him through the nation, that at length nothing less was talked of than citing him as a traitor to appear before their great Council. *Clausus* provoked by this unjust treatment, his first thought was to arm his friends and clients, and begin a civil war. No measure could have been more advantageous to *Rome*: But *Poplicola* dissuaded him from polluting his hands with the blood

blood of his countrymen : He represented to him, that the most honourable and most effectual way to be revenged upon them, would be to leave them ; that a man of his consequence, abilities, and virtues, would soon be missed ; and that *Rome* offered him a retreat and protection both for himself and followers. *Clausus* remained a while in suspense ; but at length chose rather to act a proud, than an angry part, and removed to *Rome*. There he changed his name to *Appius Claudius*, was immediately declared a Patrician, and took his place in the Senate. Twenty-five acres of land were given him in fee, and a quarter in the city assigned for his friends and followers, amounting to five thousand families ; to each of which were granted two acres of ground, with the rights of Citizenship. And these donations were made irrevocable by a decree of the Senate, confirmed by the suffrages of the people.

The *Sabines*, enraged at the retreat of *Clausus* to *Rome*, deferred no longer to take the field. Their army they divided into two bodies, one of which encamped near *Fidenæ*, the other shut itself up in that town, which was but five miles from *Rome*. *Poplicola* and *Lucretius* made a like division of the *Roman* troops, and encamped advantageously near each other. The *Romans* having no opportunity for stratagems, were eager to engage : But the *Sabines* durst not come to a battle by day-light. Their General (who is said to have been one of *Tarquin's* sons) formed a design to attack *Poplicola's* camp in the dead of the night, while the troops of *Fidenæ*, light-armed, were to march out, and fetching a large compass, come behind, and surprize *Lucretius's* camp, as soon as he should leave it to go to the succour of his colleague ; and then those same troops were to charge *Lucretius* in the rear, or at least terrify him by their shouts. *Poplicola* had timely intelligence of these designs, and took proper measures to make them fatal to the enemy. He gave *Lucretius* notice of the intended night-expedition ; and it was agreed between them to shew no marks of suspecting the enemy's intention ; in the beginning of the night all fires were put out in both the *Roman* camps. The *Sabines* before midnight marched silently towards *Poplicola's* entrenchments, filled up the ditch with fascines, and passed over to scale the rampart ; but as fast as they drew near to it, they were stabbed by the *Roman* troops, who, unseen, were posted on the outside of it, in the space between it and the ditch. They suffered a great slaughter, before the moon rising discovered their error. Then a fright seized them, they all fled, and the *Romans* pursued them with loud shouts, which were heard in *Lucretius's* camp ; who immediately detached his horse against those of the enemy, who lay in ambush behind him, while he with his infantry hastened to complete the destruction of those whom *Poplicola* had routed. In this bloody action 13000 *Sabines* were killed upon the spot, and 4200 made prisoners.

What now remained, was to reduce *Fidenæ*, which had been often subdued, and had as often rebelled. *Poplicola* undertook to scale the walls in person, on that side where the city was thought most impregnable. Having carried the place by assault, he put to death the heads of the revolt,

Year of
R O M E
CCXLIX.
Ref. J. C.
DIII.

Sixth
Consulship.

D. Hal. R.
5. P. 308.
309.

p. 310

Year of.
R O M E
CCL.
Bef. J. C.
DII.

Seventh
Consulship.
D. Hal. P.
314, 315.
Livy, B. 2.
c. 16.
Plut. Popl.
p. 109.

but spared the rest of the inhabitants, obliging them only to surrender to the garrison, which he placed with them, a part of their lands for its support. He then returned to *Rome*, and was honoured with a triumph.

§. III. *POPPLICOLA* had scarce resigned the Fasces into the hands of *P. Posthumius*, (now chosen to the Consulship a second time) and *Menenius Agrippa*, when he was seized with a distemper, and died, as destitute of the goods of fortune, as full of glory. His chief care had been to transmit his virtues to his children, not to enrich them. Though he had been four times Consul, and had enjoyed two triumphs, he left little more to his posterity than a noble model for their imitation: So that he was buried at the publick expence, not so much by way of distinction, as on account of his poverty. The *Romans* erected a tomb for him near the *Forum*, and gave his family a right of interment in the same place: But as the *Valerii* always affected popularity, they never made use of this privilege. The bodies of those who died in *Rome* were first carried to that sepulchre, but afterwards conveyed without the walls, and there burnt; and the bones were deposited in a tomb without the city. As *Poplicola* had been one of those who stood up in defence of the chastity of the *Roman Ladies*, they went into a year's mourning for him, as they had done before for *Brutus*.

D. Hal. B.
5. p. 311.

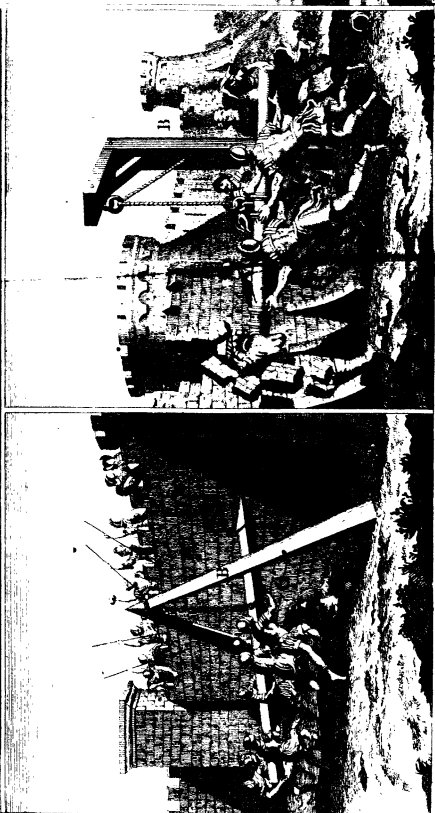
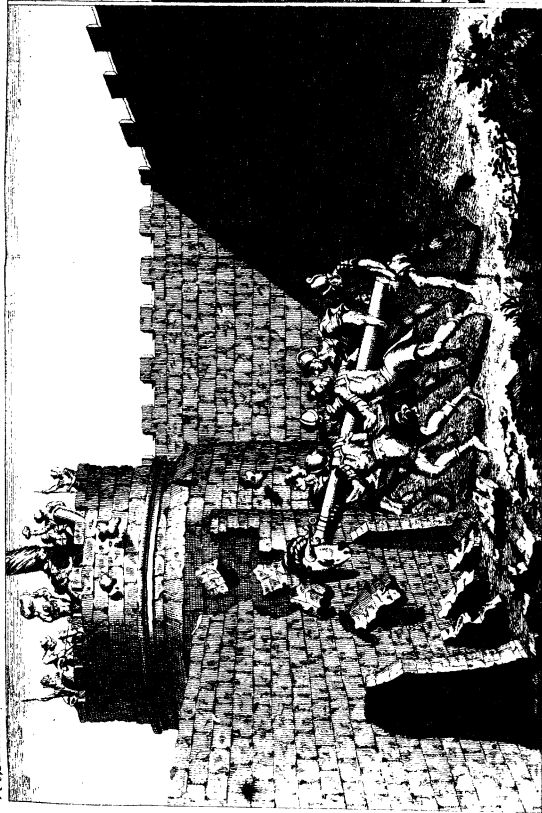
p. 312.

The death of *Poplicola* revived the courage of the *Sabines*; they took the field again that same year, and made so sudden an incursion upon the *Roman* territory, (which they pillaged and laid waste) that one part of their army was advanced to the very gates of *Rome*, before the *Romans* had any notice of their approach. *Posthumius* the Consul sallying out with a good number of men hastily assembled, and chasing those advanced Troops of the enemy to a forest, where the rest of the *Sabine* forces lay in ambush, was there surprized and defeated, losing many of his *Romans*, and narrowly escaping himself. He took refuge with the remains of the rout on the top of a steep hill, where he passed the night, invested by the enemy. But the next day his Collegue *Menenius* coming to his relief with the best part of the *Roman* youth, the *Sabines* retired. Nevertheless the advantage they had gained raised their confidence to such a height, that they sent a summons, requiring the *Romans* to receive the *Tarquins*, and submit to be governed by their conquerors. They were answered, that *Rome* commanded the *Sabines* to lay down their arms, and return to their duty; and that when they had made their submission they should come and ask pardon for their irruptions into her territory, if they expected any indulgence, or had no mind to see the war speedily carried into the heart of their country.

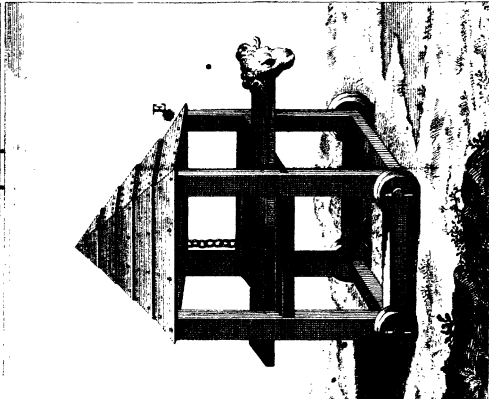
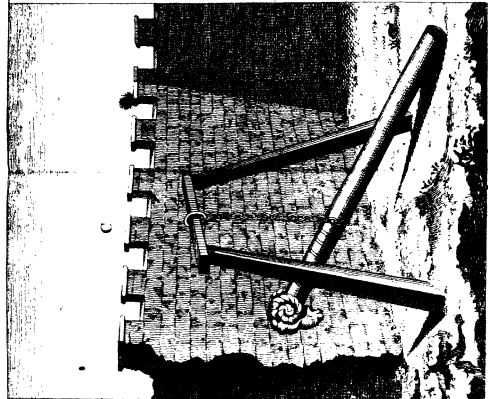
p. 313.

These mutual bravadoes were followed by a serious war, in which both nations brought all their strength into the field, and encamped near *Eretum*, a *Sabine* city about ten miles from *Rome*. In the battle which ensued *Menenius* commanded the right wing, and *Posthumius* the left. The latter to repair his honour, threw himself, like a man in despair, among the thickest of the enemy, and did prodigious acts of valour; and, as

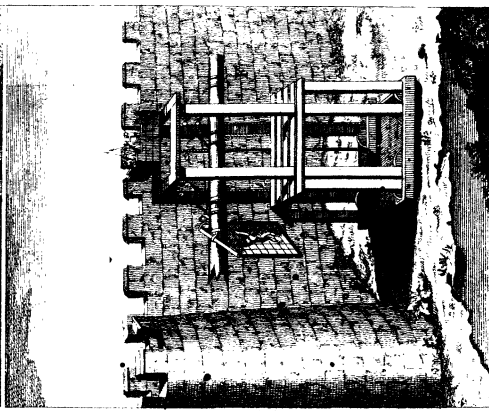
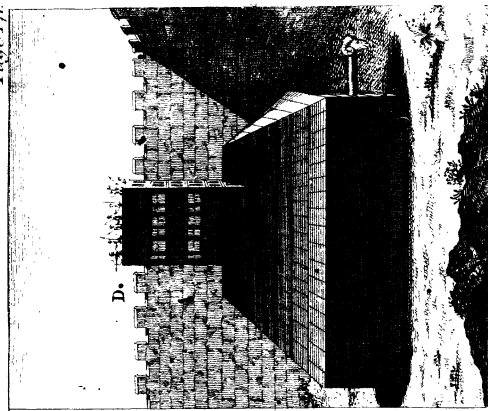
Menenius



A. A Ram worked by the Soldiers, by means of a screw, length of Arm.
B. Two different sorts of Rams, being different Ways.



C. Another way of hanging the Ram. D. The Ram Tortoise invented by Polidus of Thelaly. E. A Ram covered with a shed, and running upon wheels.
F. A Ram which might be raised or sunk, as there was a screw, either by springs, or Ropes, and pulleys, according to Hero's Description of it.



Menenius likewise, urged by his example, exerted himself in an extraordinary manner, the *Romans*, animated by two such Leaders, obtained a complete victory.

Year of
R O M E
CCL.
Bef. J. C.
DII.

§. IV. BUT notwithstanding the equal bravery of the Consuls on this occasion, the Senate, having deliberated on the reception to be given them at their return, thought it necessary to make a distinction in their rewards. *Posthumius's* gallant behaviour in the late action had not sufficiently atoned for his miscarriage, in suffering himself to be surprized in the former. They invented therefore a new kind of triumph, less honourable than that in use: The person rewarded with it was to enter *Rome* on foot, or at best on horseback, attended only by the Senate; his crown was to be of myrtle, and his robe the *Prætextra*, or common habit of magistrates: and this imperfect triumph, called *Ovatio*^a, they decreed to *Posthumius*. The modest Consul accepted of it, and entered *Rome* two days before his Colleague, who was honoured with a compleat triumph in all its magnificence and pomp.

Seventh
Consulship.

Licinus
apud
D. Hal. p.
314.
Pliny, B.
15. c. 29.

§. V. *SPURIUS CASSIUS* and *Opiter Virginus*, the succeeding Consuls, divided the *Roman* forces between them; and *Cassius* had commission to give the *Sabines* the finishing blow. He defeated them in a pitched battle in the heart of their country, slew 10300, and took 4000 prisoners; after which they humbly sued for peace, and were forced to purchase it with corn, money, and a part of their lands.

Year of
R O M E
CCL.
Bef. J. C.
DI.

Eighth
Consulship.
D. Hal. p.
315, 316.

In the mean time *Virginus* marched with his army and surprized *Camærium*, a town of *Latium* which had revolted from the *Romans*. Having beat down the wall with his battering^b rams, he took the place by assault, beheaded

^a The Ovation some fancy to have derived its name from shouting *Evan!* or *Evœ!* to *Bacchus*; but the true original is *Ovis*, the sheep, which was usually offered in this procession, as an *ox* in the triumph. The show generally began at the *Albanian* mountain, whence the General, with his retinue, made his entry into the city: he went on foot, with many flutes, or pipes, sounding in concert as he passed along, wearing a garland of myrtle as a token of peace, with an aspect rather raising love and respect, than fear. *A. Gellius* informs us, that this honour was then conferred on the victor, when either the war had not been proclaimed in due method, or not undertaken against a lawful enemy, and on a just account; or when the enemy was but mean and inconsiderable *. But *Plutarch* has delivered his judgment in a different manner: he believes that heretofore the difference betwixt the *Ovation* and the *Triumph* was not taken from the greatness of the at-

chievements, but from the manner of performing them: for they who having fought a set battle, and slain a great number of the enemy, returned victors, led that martial and (as it were) cruel procession of the triumph. But those who without force, by benevolence and civil behaviour, had done the business, and prevented the shedding of human blood, to these commanders custom gave the honour of this peaceable *Ovation*. For a pipe is the ensign or badge of peace, and myrtle the tree of *Venus*, who beyond any of the other Deities, has an extreme aversion to violence and war †. *Ken. Antiq.* Part II. B. 4. c. 16.

^b The *Battering Ram* was a great wooden beam, bound about with iron at the end, or armed with a head of iron, representing that of a *Ram*. The ancients used it, to beat down the walls of a city. *Vitruvius* ascribes the invention of the *Battering Ram* to the *Carthaginians*. They made use, says he, of this sort of battery at the siege of *Cadix*. At

* *Nœt. Ant.* lib. 5. cap. 6.

† *Plut.* in *Marcel.*

Year of R O M E CCLI. behheaded the most guilty of the inhabitants, sold the rest, and razed the city.

Bet. J. C. DI.

Fifth Consulship.

first, it was only a mere beam, or kind of lever, which the besiegers drove against the walls, with repeated blows, by strength of arm. *Peppajrenos*, a carpenter of *Tyre*, taking the hint from the first trial which was made of this machine, fixed up a mast of a ship, to which he hung cross-ways, by cables and iron chains, a huge piece of timber. This heavy, unweildy mass, poised and pushed with violence, threw down the walls of the city besieged. After this manner, as *Josephus* tells us, *B. 3. the Romans* set their Ram against *Jerusalem*. To guard the machine, and those who worked it, from the attacks of the enemy, *Cetras* of *Chalcedon* was the first who made a sort of pent-house, or gallery, covered over with skins soaked in water, to preserve it from fire. It went upon wheels, that the Ram, which was hung up within, upon one or two rafters, might be brought forward with greater ease. This was afterwards called the *Ram-Tortoise*, either because its motion was slow, according to *Vitruvius*; or, as *Vegetius* has observed, because the machine resembled the figure of a *Tortoise*, who puts his head out of his shell, and draws it in again, in like manner as the head of the Ram moved out and in, as there was occasion. Above the *Tortoise*, there was sometimes raised a centry-box, in the form of a turret, where two soldiers were posted,

to observe the motions of the besieged. *Vitruvius* assures us, that *Polydus* of *Thessaly* perfected the *Tortoise* at the siege which *Philip* of *Macedon*, son of *Amintas*, laid to *Dyzenium*. The make and disposition of the machine was in this manner. He made a covered gallery, thirty cubits wide, and fifteen high, without reckoning the roof, which itself was seven from the platform to the ridge. Over the roof he raised a little tower, at least twelve cubits wide. It contained four stories, in the uppermost of which were put the *Scorpions*, and the *Catapults*. In the lower stories was placed a great quantity of water, to extinguish the fire which might be thrown from the top of the ramparts. *Vitruvius* makes the length of the Ram a hundred and six feet; *Plutarch*, eighty only. The *Ram-Tortoise* is described in these verses of *Propertius*:

*Dumque Avies cornu murum pulsabat ab uno
Vineaque inductum longa tenebat opus. l. 4.*

Vitruvius, *Vegetius*, and *Justus Lipsius* have expatiated upon the different forms of this ancient engine of war; but they all amount to the same thing. Those which are here represented, will enable the reader to form a judgment of the rest. C. & R.

C H A P. IV.

§. I. *The Latines declare for King Tarquin against the new Republick; but, before they take the field, send an Embassy to Rome with proposals for an accommodation.* §. II. *A conspiracy is there formed by some of Tarquin's Emissaries, who accompany the Latine Ambassadors. The plot is discover'd and prevented, and the Ambassadors dismiss'd with a refusal of their demands.* §. III. *The Latines dispatch a second Embassy to Rome with offers of peace, upon new conditions; these are also rejected by the Senate. The Romans prepare for war: but when the Consuls would make the necessary levies, the poorer citizens refuse to serve.* §. IV. *The cruelty of their creditors is the cause of this mutiny. The debtors demand an absolute remission of their debts. Great disputes arise in the Senate on this occasion. In so dangerous a situation of affairs they judge it necessary to create a Dictator, (a sovereign uncontrollable Magistrate) and to this they get the People's consent.* §. V. *Titus Lartius is appointed to that supreme dignity.*

nity. The levies for the war are now carried on without difficulty. After very little action in the field, a truce is made with the Latines for a year; during which the Roman women married into Latium, and the Latine women married at Rome, have leave to return to their respective countries.

§. VI. The truce being expired, Posthumius one of the Consuls is named Dictator, and has the sole conduct of the war. He gives the Latines an entire overthrow in the battle of Regillus; after which the whole Nation submits. Tarquin being obliged to quit Latium, retires to Cumæ in Campania, and there in a few months after, dies.

THE next year, when Posthumius Cominius and T. Lartius were Consuls, a very important event gave a new alarm to the rising Republick. The Latine Nation, which had hitherto stood neuter in the quarrel between Rome and her banished King, came at length to a resolution openly to espouse the King's cause. It was Mamilius, Tarquin's son-in-law, who by his pressing instances had brought his countrymen to this determination. M. Valerius, the brother of Poplicola, had just been deputed by the Romans to those of the Latine cities that were nearest Rome, to complain of some of their people, who (by secret direction of the chief men among them) had made inroads and depredations in the territory of the Republick. Hearing that the Latines were assembled in a national council at Ferentinum to deliberate on a war with the Romans, Valerius hastened thither, tho' not invited, and there demanded, as a Deputy from Rome, the chief seat in the Council; a right due to him by the treaties subsisting between the two nations. To this, it was answered, That those treaties had been shamefully violated by the Romans; at whose instigation, as the Deputies from Aricia alleged, Porfena's troops had made that attack upon the Aricians, in which his son Aruns was slain. Some exiles also from Fidene and Camerium complained loudly of the cruelty of the Romans. And it was farther added by the Partisans of Tarquin, That the Latine confederacy having been concluded with the King, and not with the Republick of Rome, the latter could claim no benefit from that transaction. The Deputies however, came to no determination that day; it was wholly spent in accusations and replies: but the very day following, when they met again, they refused to admit Valerius into their Assembly; and it was signified to him, that the Latines, thinking themselves, in many instances, greatly injured by the Romans, had resolved to consider at leisure of proper revenge.

It was at this time, and upon the news of the danger that threatened Rome from the Latines, that (according to Livy) the Senate first thought of creating a Dictator; tho' they did not put that project in execution till a more difficult conjuncture. During the present alarm from abroad, they happily discovered a conspiracy formed at home by a number of slaves, who had combined together to seize the capitol, and set fire to the city in several quarters at the same time. The offenders were all crucified.

Year of
R O M E
CCLIII.
Bef. J. C.
Four hun-
dred nine-
ty-nine.

Tenth
Consulship.
D. Hal. p.
318.

In the following Consulship of *Serv. Sulpitius* and *Manius Tullius*, the *Tarquins*, in concert with some of the inhabitants of *Fidenæ*, found means to possess themselves of that City by surprize. Tho' the *Roman* Senate had good reason to suspect that many of the chiefs of *Latium* were concerned in this affair, yet were they in no haste to declare war against the *Latine* people, being well assured that the lower order of men among them were not in the same dispositions with the Nobles, but rather averse from any rupture with *Rome*. But as to the *Fidenates*, the Consul *Manius* marching with a numerous army, closely invested their City, and reduced them to great extremities. The besieged in their distress implored the assistance of the *Latines*; and this occasioned a new meeting of the Deputies from the several Cities of *Latium*.

Here the question was debated, whether a war should be absolutely declared against *Rome* in favour of *Fidenæ* and the *Tarquins*, or whether the *Latines* should adhere to the ancient treaties between the two States. Those of the Council who hoped for great employments in case of a rupture were very warm for this side of the question, but the richest and the moderate men of the Assembly were of the contrary sentiment, and this was also the most agreeable to the Nation in general. The first however so far prevailed, as to obtain a decree, that an Embassy should be sent to the *Romans* to exhort them to raise the siege of *Fidenæ*, and recall their banished King, who on that condition was to engage by oath to grant a general amnesty; the Ambassadors were to allow the *Romans* a year to consider of these overtures, and to threaten them with a war in case of non-compliance.

The party who carried this point in the Assembly very well knew that the Republick would never listen to such proposals; but they were willing to have some plausible pretext for a breach, as also time to make due preparations for war; and they likewise hoped, that before the year was expired they should find means to gain over to them those of their Countrymen, who now opposed their measures.

§. II. IN the mean time, *Tarquin* and his sons seeing how averse the people of *Latium* were from a war with the *Romans*, and having little hopes of any advantage from the Embassy proposed, turned their thoughts to a more promising scheme. In the train of the *Latine* Ambassadors they sent to *Rome* some emissaries of their own, who by the help of large sums of money were to kindle an intestine war in the City. It was believed, and with good reason, that two sorts of men would be there found very ready to enter into this design; the slaves and the meaner citizens overwhelmed with debt. The first knew themselves mistrusted by their masters, and wanted only an opportunity to revenge the severe treatment which their fellows had lately suffered; and as for the poor debtors, the cruel usage they daily received from their creditors made them easily believe there could be no change in the government but to their advantage. *Tarquin's* agents having secretly engaged a multitude of these unhappy men of both sorts to attempt a revolution, the parts they gave them to act were

were these: The poor Citizens were at an appointed hour to possess themselves of the ramparts and gates of the City, and then to raise a great shout, which was to be the signal for the slaves who lay round their masters to rise and massacre them: The gates of the City were then to be opened, and the exiles were to enter *Rome* while it was yet streaming with the blood of the Senators.

It is almost incredible that of so great a number of vile and mercenary wretches, not one should be tempted by the prospect of rich rewards to betray the secret. *Dionysius* ascribes the preservation of *Rome* to a particular providence of God, who had taken this City under his protection. He tells us, that *Tarquin's* two principal agents, *Publius* and *Marcus* (both of his own name and family) were so terrified with nightly visions and nightful dreams, that they durst not proceed in their design, till they had consulted a Diviner; that having asked him in general terms whether it was a proper time to execute a project they had formed, he advised them, *By all means to lay aside their project, whatever it was, for that otherwise it would assuredly prove fatal to them*; and that upon this, they fearing to be prevented by some of the other Conspirators, went straight to *Sulpitius*, the only Consul then at *Rome*, and discovered the whole matter to him. *Sulpitius* commended them highly, promised them ample recompence, and detained them in his own house, without imparting the secret to any body. Instantly he assembled the Senate, when the first thing done was to call in the *Latine* Ambassadors, and give them their audience of leave, with an answer to their proposals. The answer was very short. The Consul addressing them by the appellation of *Friends* and *Kinsmen*, told them, *The surprize the Senate were under, that the Latines, who had been witnesses of the constancy of the Roman People when attacked by all the forces of Portena, should threaten them with a war, unless they would submit to Tyrants, and raise the siege of Fidenæ*: And he concluded with a sort of defiance. The Ambassadors being thus dismissed, were conducted out of the City.

Then *Sulpitius* laid open to the *Fathers* the horrible conspiracy of which he had just got information. The truth of the fact seemed not to admit of a dispute; the only question was in what manner to apprehend and punish the guilty; and this was a nice point. To take the conspirators by force from their families and carry them to execution might raise a flame in every quarter of the City, and be attended with fatal consequences: Nor was it by any means expedient to cite them in legal form before the Judges; because should the accused be obstinate in denying the fact, the evidence of the two informers, who were the only witnesses, might be thought insufficient for a capital conviction of *Roman* Citizens. *Sulpitius* therefore, to whom the Senate left the whole conduct of this critical affair, took a method which he thought would equally serve to prove the guilt, and secure the punishment. He directed the Senators to get together their friends and clients, and upon a signal to be given, to seize all the strong places of the City, each Senator in that quarter where he lived. The

Year of
R O M E
CCLIII.
Bet. J. C.
Four hundred
nine-
ty-nine.

Tenth
Consulship,
D. Hal. B.
5. P. 320.

Year of
R O M E
CCLIII.
Bc+ J. C.
four hundred
and three
ty six.

Tenth
Consulship.

Roman Knights also were commanded to hold themselves ready in the houses adjoining to the Forum, to execute the orders they should receive. And lest, upon the apprehending of the criminals, their relations or friends should raise a sedition, and occasion a bloody conflict between fellow citizens, he sent to his Collegue, who was besieging *Idone*, to come away as soon as it was dark, with a chosen body of his troops, and post them near the ramparts of *Rome*. These precautions taken, the two informers, by the Consul's direction, gave notice to the most active and leading men of the conspiracy to meet them exactly at midnight in the *Forum*, under pretence of settling the last measures for the execution of their enterprise. Every thing succeeded according to the Consul's scheme. The Conspirators met at the time and place appointed; the Senators, upon receiving the signal, possessed themselves of the strongest posts in all parts of the City; the Knights invested the *Forum*, so closely blocking up all the avenues of it, that no body could possibly escape from thence; and at the same time the Consul *Manius* being arrived from before *Idone*, drew up his troops in the *Campus Martius*. The next morning, as soon as it was light, both the Consuls, strongly guarded, appeared upon their tribunal, and, having convened the People, discovered to them the conspiracy which had been formed against the common liberty, and produced the witnesses. Leave was given to the accused to make their defence, if they had any thing to say against the evidence; but not one of them had the boldness to deny the fact. Hereupon the Consuls instantly repair'd to the Senate, whence they soon after returned, bringing with them a decree of the *Fathers*, whereby the right of Citizenship was granted to the two Informers, together with a large pecuniary reward; and the conspirators were condemn'd to death, in case the People approved it. This decree being confirmed by the Assembly, the multitude were then ordered to retire, and the criminals were deliver'd up to the soldiers, and put to the sword. And now, as the peace of *Rome* was thought sufficiently secured by this stroke of severity, the Consuls would receive no accusation against any other accomplices of the treason, but published an Amnesty for all those who had escaped punishment. They also ordered that the *Romans* should purify themselves by expiations, because they had been constrained to dip their hands in the blood of their Countrymen; after which they appointed sacrifices and thanksgiving to the Gods, and three festival days for the celebration of publick games. A melancholy accident disturbed the general joy on this occasion; the Consul *Manius* fell from his chariot in the middle of the *Circus*, and was so grievously hurt that he died a few days after. As the year was near expiring, *Sulpitius* remained sole Consul to the end of it, the *Romans* not thinking it worth while to chuse him a new Collegue.

Hal. p.
323.

Y. of R.
251.
p. 324.
325.
Y. of R.
255.

§. III. *IDENE* continued to be invested, but was not taken during the following Consulship of *T. Aebutius* and *P. Veturius*. But the next year, when *T. Lartius* and *Q. Clahus* were raised to that dignity, the former having the conduct of the siege, carried on the attacks with

so much skill and vigour, that he at length forced the *Fidenates* to surrender at discretion.

Year of
R O M E
CCLV.
Bet. J. C.
Four hundred ninety seven.
Twelfth
Consulship.
D. Hal. B.
5. p. 326.

The reduction of *Fidenæ* struck a terror into the *Latines*, who had neglected to succour it as they might, and now repented of that neglect. *Tarquin*, *Mamilius*, and the *Aricians* seized the opportunity furnish'd by their present fears, to unite them against the *Roman* Republick. The Deputies from the *Latine* Cities ^a being assembled at *Ferentinum*, entered into a confederacy, and bound themselves by oaths never to violate their engagements. However, before they began hostilities, they judg'd it proper to send to *Rome* a second Embassy, consisting of some of the principal men of each City in the alliance. These being admitted to an audience of the Senate, complain'd of the injustice of the *Romans*, who, they said, had formerly put the *Hebrurians* upon attacking *Aricia*; and they added, that the only way for the Republick to avoid the war which threatened her from the *Latines*, was to submit her quarrel with the *Aricians* to the decision of the *Latine* Council. Tho' the *Fathers* had never been in greater perplexity than at this time, because of the vastly superior strength of the *Latine* nation, yet they haughtily reject'd the proposal; and the war being now looked upon as unavoidable, they turned their thoughts wholly to fortify themselves by alliances, and get assistance from their neighbours. To this end they sent about to the several States with which they were surrounded; but their negotiations proved every-where unsuccessful: The *Hernici* required time to examine the rights of the two parties; the *Rutuli* declared for the *Latines*; the *Volsci* insulted the *Roman* Ambassadors; and as for the *Hebrurians*, they resolv'd to stand neuter for a while, and then chuse their side, as the events of the war should guide them. These disappointments, how great soever, did not discourage the Senate; but what was worse than all these, the Republick had in her own bosom rebellious children, who refus'd to lend their aid for the defence of their country.

p. 32*

§. IV. IN order to a right understanding of the true source of this intestine evil, it will be necessary to call to mind some particulars in the manners, customs, and policy of the *Romans*, during these early ages of their State.

p. 328.

* Of all the means which the necessities of nature have put men upon inventing for subsistence, the *Romans* practis'd only tillage and war. They

M. l'Abbé Vertot.

^a *Livy* only says, that 30 Cities of *Latium* were in the Confederacy against *Rome*. But *D. H.* gives us a list of them, by which it appears, that they were not all Cities of the *Latines*: *Ardea*, *Aricia*, *Bovilla*, *Bubentum*, *Cora*, *Corventum*, *Circæum*, *Corioli*, *Corbintum*, *Cabanum*, *Fortinæum*, *Gabii*, *Laurentum*, *Lanuvium*, *Lavinium*, *Lavicum*, *Nonientum*, *Norba*, *Præneste*, *Pedum*, *Corcotulum* or *Querquetulum*, *Satricum*, *Scapera*, *Setia*, *Tellenum*, *Tibur* or *Tivoli*, *Tusculum*, *Teleria*, *Tricrinum* and *Velitræ*.

* *N. B.* In what follows in the Text, to the year of *Rome* 371, frequent use has been made of *Monfieur Vertot's History of the Revolutions which happened in the Government of the Roman Commonwealth*. Care, however, has been taken to avoid many things, in that work, which were found to be the pure product of his imagination, as also many errors or misrepresentations; and to make such Additions to his Accounts as were necessary to the nature of this more general History of *Rome*.

Year of
R O M E
CCLV.
Bef. J. C.
Four hun-
dred nine-
ty-seven.
Twelfth
Confulship.

lived upon their own harveſts, or upon thoſe which they reaped ſword in hand in the territories of their enemies. All the mechanic arts, not ſubſervient to theſe two profeſſions, were unknown at *Rome*, or left to ſlaves and ſtrangers. The *Romans*, generally ſpeaking, from the Senator to the meaneſt Plebeian, were all huſbandmen, and the huſbandmen all ſoldiers : And we ſhall ſee in the courſe of this Hiſtory, that ſome of their moſt renowned Captains were called from the plough to command their armies. The very greateſt men in the Republick inured their children to a hard and laborious way of life, to make them the more robuſt, and the more capable of ſuſtaining the fatigues of war.

D. Hal. &
Vall. de
Re Ruſt.
L. 2.

This domeſtick diſcipline had its riſe from the poverty of the firſt *Romans*. They afterwards made a virtue of what was the mere effect of neceſſity ; and men of noble minds conſidered this equal poverty of all the citizens, as the means to preſerve their liberty from uſurpation. Each citizen had at firſt, for his ſubſiſtence, but two acres of land. *Rome* afterwards extended her territory by acquiſitions from her neighbours. The *Romans* uſually ſold one moiety of the lands they conquered, to reimburse the State for the charges of the war, and added to the publick domain the other moiety, which was afterwards either given or let at a ſmall rent to the poorer ſort : Such was the ancient cuſtom of *Rome*, under her Kings. But, after the extinction of the regal power, the Nobles and *Patricians*, who looked upon themſelves to be the only Sovereigns of the Republick, did, under various pretences, appropriate to themſelves the beſt part of thoſe conquered lands, if they lay near their own eſtates, or were any other ways convenient for them ; thus inſenſibly enlarging their own revenues to the diminution of thoſe of the Republick : Or elſe, under borrowed names, they cauſed thoſe portions which were allotted for the ſubſiſtence of the poor citizens, to be adjudged to themſelves at inconfiderable rates. They afterwards laid them to their other lands, without diſtinction ; and a few years poſſeſſion and their own great power covered theſe uſurpations. The State loſt its revenue ; and the ſoldier, who had ſpent his blood to enlarge the bounds of the Republick, ſaw himſelf deprived of the ſmall portion of land that ought to have been at once his pay and his reward.

Tac. Ann.
l. 6. ad
Ann. 768.

The covetouſneſs of ſome *Patricians* was not confined to theſe uſurpations only ; but when the harveſt fell ſhort by the badneſs of the year, or by the interruptions of enemies, they knew how, by an ill-meant relief, to make themſelves a title to their neighbour's field. The ſoldier, being then entirely deſtitute, for he had no pay, was forced, for his ſubſiſtence, to have recourſe to the rich. They lent him no money but at *uſury* ; which, in thoſe days, if we may believe *Tacitus*, was arbitrary. The debtor muſt engage his ſmall eſtate ; and the cruel aſſiſtance he received often coſt him his liberty : For the laws allowed the creditor, upon default of payment, to ſeize his debtor, carry him to his own houſe, and there treat him like a ſlave. Both principal and intereſt were often exacted with ſtripes and torments ; his land was taken from him by accumulated

cumulated usury; and, under pretence of the observation of the laws and strict justice, the people daily suffered the utmost wrong.

A Government so severe, in a new Republick, quickly raised a general discontent. Those of the *Plebeians* who were oppressed with debts, and afraid of being arrested by their creditors, applying themselves to their Patrons and the most disinterested among the Senators, represented to them their extream want, the difficulty they had to bring up their children, and how hard a case it was, that after fighting successfully against the *Tarquins* in defence of the publick liberty, they should be exposed to become the slaves of their fellow-citizens.

These complaints were followed by secret menaces; and the *Plebeians*, finding no redress of their grievances, at length broke out into open sedition, under the Consulate of *T. Lartius* and *Q. Clælius*, on occasion of the powerful confederacy formed against the Commonwealth, by the *Latines* and their allies. As *Rome* had no soldiers but her own citizens, it was necessary to make the people take arms; but the poorer sort, and especially such as were plunged in debt, declared, that it was the business of those who enjoyed the dignities and riches of the Republick, to defend it; that, for their own parts, they were weary of exposing their lives every day for Masters so cruel and insatiable. Accordingly, they refused to give their names in, to be listed for the service. The hottest of them said boldly, that they were no more tied to their native country, where

Year of:
R O M E
CCLV.
Bet. J. C.
Four hundred ninety-
ty-seven.
Twelfth
Consulship.

* It was the province of the Consuls to direct the levying of men for the war. The two Consular armies, generally speaking, consisted at this time of four legions, each containing at least four thousand two hundred foot, and three hundred horse. The manner of making the levies was as follows.

After the Consuls had chosen twenty-four Tribunes, (or Colonels) fourteen from among the *Roman* Knights, and ten from among the *Plebeian* families, six of these Tribunes were appointed to every legion, to command and lead it: And it was the business of all the Tribunes to chuse their soldiers in the following manner. Every tribe of the *Roman* people was brought into the area before the capitol, one tribe after another, according to the order in which it was their lot to be summoned. The first tribe called was divided according to the order of the classes, regard being had to their superiority, *i. e.* their riches. After this, four persons, who were of age to serve, were called out of these classes; and the Tribunes of each legion chose one of the four into their legion. The Tribunes of the first legion chose the first man, the Tribunes of the second legion the second man, and so on.

When these four were thus distributed, four others were called; and then the Tribunes of the second legion had their turn of chusing the first man: So that the Tribunes of each legion had the first choice, one after another, according to the order of their legion; and every legion was very near equally furnished with good men. After a certain number of soldiers were chosen out of one tribe, another was called in; and the same number was chosen out of that, in the same manner, till the legions were sufficiently full.

Here we must observe, that the *Roman* Knights, as being higher in rank, came sooner to the Tribuneship than the *Plebeians*. But neither of them could be chosen Legi-
nary Tribunes, till they had served half of the time the laws prescribed them. Thus the Knights who were obliged to ten years service, might be promoted to the Tribuneship after five campaigns, whereas the *Plebeians* could not come to it till after ten years service in the Army, because they were obliged to serve twenty complete. The latter were called *Seniores Tribuni*; and the former, *Juniores Tribuni*. C. & R.

Year of
R O M E
CCLV.
Bef. J. C.
Four hun-
dred nine-
ty-seven.

Twelfth
Consulship.
D. Hal. B.
5. p. 328.
329.

p. 330, &
364.

not an inch of land was left them in property, than to any other Country though never so remote ; that at least there they should have no debts to pay ; that the only way to free themselves from the tyranny of their creditors was to leave *Rome* : and they loudly threatened to abandon the City, unless all debts were abolished by a *Senatus-consultum*.

The Senators, much disturbed at a disaffection so little different from a barefaced rebellion, immediately assembled: Various opinions were given. *M. Valerius*, the brother of *Postolus*, and who after his example affected popularity, represented to the *Fathers*, That most of the poor *Plebeians* had been forced to contract debts only by the misfortunes of war ; that if in such a conjuncture as this, when a great part of *Italy* had espoused the cause of *Tarquin*, they did not redress the grievances of the people, it was to be feared, despair might drive them into the Tyrant's party ; and the Senate, by stretching their authority too far, might lose it all in the re-establishment of the Royalty. Several of the Senators, and especially those who had no debtors, declared themselves of the same opinion ; but it was rejected with indignation by the rich usurers. *Appius Claudius* also opposed it, but from different motives. Austere in his manners, and a severe observer of the laws, he maintained, that no alteration could be made in these, without endangering the Republick. Though he commiserated the condition of the poor, (many of whom were daily relieved by his bounty) he nevertheless declared in full Senate, that they could not with justice refuse the authority of the laws to such creditors as would prosecute their debtors with rigour ; that justice was the surest support of a State ; that there was no abolishing the debts of particular persons without ruining the publick faith, the only bond of society ; that the people themselves, in whose favour this unjust decree was proposed, would be the first sufferers by it ; that in any new necessity they would get no Succour from the rich ; that the discontent of the great was no less to be feared than that of the people, and that perhaps the former would not easily bear to be stript of that wealth, which had been left them by their ancestors, or was the fruit of their own temperance and œconomy. He added, that *Rome*, at the beginning, assigned no greater portions of land to the *Patricians* than to the *Plebeians* ; that these latter had but lately shared the estate of the *Tarquins* ; that they had often got considerable booty in war, and that if they had squandered it all away in extravagant living, there was no reason why they should be reimburs'd at the expence of those who had lived with more prudence and good management : That it should be further considered, that those of the mutineers who made the most noise, were *Plebeians* of the very lowest classes, and who in battle were usually placed only in the wings or in the rear of the legions ; that most of them were armed with nothing but slings ; that there was neither great service to be expected, nor great danger to be feared from such soldiers ; that the Republick in losing them, would suffer but a very inconsiderable loss ; and that to despise the sedition was sufficient to quell it, and make the authors of it submit themselves to the clemency of the Senate.

Some of the *Fathers* who were for finding a medium between two opinions to extremely opposite, proposed, that, without cancelling the debts, they should take away the creditors power over the persons of their debtors. Others were for remitting the debts of those only who were notoriously unable to pay. Some again, to save the publick faith, and at the same time satisfy the creditors, proposed to pay them out of the publick treasury. And lastly, it was the judgment of others, that such of the citizens as had been sold, or were in danger of being sold, to satisfy their debts, should be redeemed from slavery, by giving the creditors other slaves in their room.

The Senate adopted none of these schemes; but, in order to pacify the people, and engage them to take arms in defence of the state, they decreed a suspension of all prosecutions for debt till the end of the war.

This concession of the *Fathers* was owing to the fear of the foreign enemy. But a great many of the *Plebeians*, grown bolder for the same reason, declared, that they would either have an absolute remission of all debts, or leave it to the rich and great to take care of the war, and defend a city, in whose safety they thought themselves no longer concerned, and which indeed they were ready to leave. The number of the malcontents increased daily; for, among the people, many who had no debts of their own, could not help complaining of the severity of the Senate, either through compassion for the debtors of their own order, or out of that secret aversion which every man naturally has to behold, in others, a spirit of domination.

Though the richest of the *Plebeians*, and especially the clients of the Nobles, had no part in the sedition; yet the separation which the mal-con-

* When the debtor was insolvent, the creditor had a right to put him in irons, or to sell him as a slave. Sometimes he was cruel enough to whip him unmercifully. After a certain number of summons's, the law granted to the debtor thirty days of grace, to give him time to raise the sum for which he was accountable. These are the words of the law. *Aris confessi, rebusque jure judicatis triginta dies jussu jundo. Post dein manum endo jacio—Vincto aut novo aut compedibus*—After the thirty days were expired, if the debtor had not discharged the debt, he was led to the *Prætor*, who delivered him up to the mercy of his creditors. These bound him and kept him in chains, for the space of sixty days. Afterwards, for three market-days successively, this debtor was brought to the tribunal of the *Prætor*. Then a publick Crier proclaimed, in the *Forum*, the debt for which the prisoner was detained. Oftentimes there were found rich persons who redeemed the prisoners, by paying their debts. But if no-body appeared in behalf

of the debtor, after the third market day, the creditor had a right to sell him, or to imprison and make him a slave in his own house; which was called *Coercition*. Such imprisoned slaves were styled *Nexi*, and not *Servi*, because their slavery lasted no longer than till their debts were paid. This *Coercition* was afterwards changed into publick imprisonments, which was a less rigorous punishment than the slavery the debtors underwent in their creditors houses. *Cat. & Rouillé.*

It has been thought, that, by one of the *Decemviral* laws, expressed in these terms, *Si plures sint, quibus res sit addicta, tertius nudius partus sicant; si plus minusve secuerint, sine fraude esto*, if an insolvent debtor had several creditors, they could cut his body into as many parts, and so share him among them. But it is not probable that the law had any such meaning. Doubtless by cutting or dividing the debtor, we ought to understand dividing the price of his body sold. *Bynkershoek. L. 1. C. 1.*

Year of
R O M E
CCLV.
Bef. J. C.
Four hun-
dred nine-
ty-seven.

Twelfth
Consulship.
D. Hal. p.
334.

tents threatened, and their obstinate refusal of taking arms, were of dangerous example, especially at a time when the Republick was going to be attacked by the greater part of the *Latine* forces, commanded by the sons and son-in-law of *Tarquin*. The Senate might indeed have prosecuted the most active in the mutiny; but then the *Lex Valeria*, which allowed appeals to the assembly of the people, was a shelter for the guilty, who were sure of being acquitted by the accomplices of their sedition. To elude the effect of a privilege that put such a restraint upon their power, the *Fathers* resolved to create one supreme Magistrate, who, with the title of *Dictator*^a, should be equally above the Senate and assembly of the People, and be invested with absolute authority. And in order to obtain the people's consent, it was represented to them in a publick assembly, that in so difficult a conjuncture, when they had their domestick quarrels to decide, and the enemy to repulse at the same time, it would be expedient to put the Commonwealth under a single Governor, who, superior to the Consuls themselves, should be arbiter of the laws, and as it were the father of his country: That, nevertheless, lest he should abuse his uncontrollable authority, by making himself a Tyrant, they ought not to trust him with it above six months.

p. 335.

§. V. THE people^b not foreseeing the consequences of this change, agreed to it; and then the only thing that remained, was to pitch upon a man duly qualified for so great and important a trust. *Titus Lartius*, one of the present Consuls, appeared to the Senate to be of all men the most unexceptionable; yet they were unwilling to offend his Colleague by an invidious preference. The expedient they fell upon was to give the two Consuls the power of naming the new Magistrate, but with this limitation, that he should be one of the two, not doubting but *Chelius* would readily yield to the superior talents of *Lartius*. Nor were they disappointed in this expectation. But then *Lartius*, no way behind his Colleague in modesty or generosity, with the same readiness remitted the high honour in question to him; and a contest arose between them, which of the two should advance the other to sovereign authority. The dispute did not end the first day; but the day following, when the Senate met again upon this weighty affair, *Chelius* finding that he could no otherways prevail, started up on a sudden, and after the manner of an *INTERREX* proclaimed *Titus Lartius* *Dictator*, instantly abdicated the Consulship, and descended from the tribunal.

p. 336.

This

^a This Magistrate was also called, *Magister Populi* and *Prætor Maximus*.

^b It seems not improbable, that the people were induced to consent to this change, partly from the flattering hopes which persons in distress usually conceive from all unexperienced changes in the Government; and partly from the knowledge their leaders

had of the temper and character of the person destined to the High Office in question: For we shall find that *Lartius* was a friend to the poor *Plebeians*.

^c It became the custom for this Magistrate to be chosen only in the night *viua voce*, by one of the Consuls; and this choice was to be confirmed by the divination from birds.

His

This new kind of Government erected at *Rome*, might be called an absolute Monarchy in a Republick, tho' not durable. The moment the Dictator was named, he had power of life and death over all the Citizens of every degree, and without any appeal^a. The authority and the functions of all other Magistrates ceased, or were subordinate to his. He had the naming of the *General of the Horse*, who served as his Lieutenant-General, and was wholly at his command. Twenty-four lictors, armed with axes, (as those of the King had used to be) attended him. He might raise troops or disband them at his pleasure. Whenever war was declared, he commanded the armies, without being obliged to consult either the People or the Senate concerning his Enterprizes; nor, when his authority expired, was he obliged to give an account of any thing he had done during his administration.

Year of R O M E. CCLV. Bef. J. C. Four hundred ninety-seven.
Twelfth Consulship. First Dictatorship. D. Hal. B. 5. p. 336. Livy, B. 2. c. 18.

T. Lartius being invested with this great dignity, named, without the participation either of Senate or People, *Spurius Cassius Viscellinus* for *General of the Horse*; and in all his proceedings, tho' he was indeed one of the most moderate of the whole Senate, he outwardly affected a stately reserve, and a peremptory manner, to awe the People into their duty. They found that under so resolute a master, who would not fail to make an example of the first that should rebel, submission was the only course they had to take.

D. Hal. p. 338.

All mutiny and murmurings being thus silenced, the Dictator commanded a *Census* to be taken of the people according to the institution of King *Servius Tullius*; and there appeared to be in *Rome* 150700 men who were past the age of puberty. Out of these he formed four armies. The first he allotted to himself, the second to *Clælius*, his late Collegue, the third to *Cassius*, his General of the Horse; and these three were to take the field against the *Latines*; the fourth, under the command of the Dictator's brother, *Spurius Lartius*, was to stay in *Rome* and guard the City.

The *Latines* were not so forward in their preparations for the war as P. 339. their menaces had given cause to fear they would be; so that there was little action this campaign. The Dictator having intercepted a detachment which they had sent to ravage the *Roman* territory, treated the prisoners more like allies than enemies. He caused particular care to be had of the wounded, and set all at liberty ransom free. By this humane and skilful conduct, he disposed the *Latines*, to listen the more readily to the overtures which he at the same time made them for a suspension of arms. Notwithstanding all that *Tarquin* and *Mamilius* could do to hinder it, a truce was soon after agreed to for a year. And then *Lartius* seeing

His power was confined in two other respects besides that of time. He was not allowed to march out of *Italy*, lest he should take advantage of the distance of the place to attempt something against the common liberty; and he was always to march on foot, except in case of a tedious or sudden expedi-

tion, and then he formally asked leave of the people to ride.

^a This was doubtless the intention of the Senate at the time when a Dictator was first created: But we shall hereafter find an appeal from the sentence of a Dictator to the assembly of the people.

the Republick in tranquillity, resigned the Dictatorship, tho' the time appointed for its duration was not yet expired; and, what is remarkable, no citizen had been punished with death or banishment, or in any manner severely treated during the whole continuance of his uncontrollable power.

Year of
R O M E
CCLVI.
Bef. J. C.
Four hun-
dred nine-
ty-six.

Thirteenth
Consulship.
D. Hal. B.
6. p. 341.

The following Consulship of *Sempronius Atratinus* and *Minutius Augurinus*, produced nothing memorable relating to war or conquest. The Senate seem to have been chiefly taken up with a compassionate concern for the *Roman* women married to *Latins* husbands. It was feared they might suffer by the rupture between the two nations. A decree therefore was passed by the *Fathers*, and confirmed by the People, (in consequence doubtless of an agreement made with the *Latines*) that the *Latine* women who were willing to leave *Rome* and return to *Latium*, and the *Roman* women who were willing to come back from *Latium* to *Rome*, should have liberty to quit their husbands and return to the respective countries of their nativity; and it was ordered, with regard to their children, that the boys should remain with their fathers and the girls follow their mothers. How agreeable a place *Rome* was to wives most remarkably appeared on this occasion. For out of the great number of *Latine* women who had married *Roman* husbands, only two went back to *Latium*; but almost all the *Roman* women, married to *Latines*, left their husbands and returned to their native City.

Year of
R O M E
CCLVII.
Bef. J. C.
Four hun-
dred nine-
ty-five.

Fourteenth
Consulship.
p. 342.

§. VI. THE year of truce with the *Latines* was expired, when *Aulus Posthumius* and *T. Virginus* took possession of the Consulship. The Nobles of *Latium*, who were in the interest of *Tarquin*, carried all before them in the assemblies of the States, contrary to the inclination of the people, many of whom came with their families to *Rome*, where they were well received. It was necessary therefore to prepare for war; and tho' there were no dissensions at this time between the Senate and People, it was judged proper to put the conduct of it into the hands of a Dictator: The Consuls had the power given them, as before, to name one of themselves to that dignity; whereupon *Virginus*, tho' the elder of the two, readily yielded it to his Colleague as the more able Commander.

p. 343.

Posthumius, having named *Æbutius Elva* to be his General of the Horse, divided the *Roman* forces, as the former Dictator had done, into four bodies; one he commanded himself, put another under the conduct of his late Colleague *Virginus*, the third under *Æbutius*, and committed the fourth to *Sempronius*, with the Government of the City. News was presently brought, that the *Latines* had forced the castle of *Corbio*, a strong hold belonging to the Republick; and put the garrison to the sword; and that this small advantage gained by the enemy had determin'd the *Volsi* of *Antium* to join them. *Posthumius* immediately marched from *Rome* with 8000 men, and encamped in the night near the lake *Regillus**, upon a steep hill which was inaccessible on every side. *Virginus* following soon after with his troops, posted them on another hill over against the Dictator; the *Latine* army, which consisted of 40000 foot and 3000 horse, under the command of *Sextus Tarquinius*, *Titus Tarquinius*, and *Mamilius*,

* In *Latium*.

lying between them. As *Posthumius* had no intention to fight, but only to observe and tire out the enemy, he sent word to *Æbutius* to march secretly in the night with the cavalry and light-armed infantry, and take possession of a third hill, upon the only road by which provisions could come to the *Latines*. The General of the Horse obey'd his order; but before he could fortify his camp, he was briskly attack'd by a body of the enemy under *Sextus Tarquinius*, who endeavoured to dislodge him: However, the Dictator sending him a timely reinforcement, the *Latines* were repulsed with loss, and retired. After this *Æbutius* intercepted two couriers who were carrying letters from the *Volsi* to the *Latine* Generals, importing that a considerable body of that people would join the *Latine* forces in three days. *Posthumius* hereupon drew his three bodies of *Romans* together; for tho' they amounted to no more than 23700 foot and 1000 horse, necessity constrained him now to hazard an engagement without delay.

Year of
R O M E
CCLVII.
Bef. J. C.
Four hundred
dred nine-
ty-five.
Fourteenth
Consulship.
D. Hal. B.
6. p. 344.
345.

It was the custom for Generals to harangue their troops, before they led them to battle; and the Dictator may be said to have had at this time the better part of the *Roman* Nation for his auditors. The Senate almost to a man were come to serve as volunteers. Indeed there was no way of rising to offices of dignity and power but by long and painful service in the troops; but now even the oldest Senators had taken arms in defence of their country. *Posthumius* in his speech to the soldiers, (after he had put them in mind of the miseries they must expect from the return of the *Tarquins*, and had encouraged them not to fear the superior numbers of a faithless enemy whom their fathers had so often vanquished) took particular notice of this, that in the present exigence, *the most ancient and venerable had covered their grey hairs with the helmet*. He added: *And shall the young, the healthy and strong be unactive and fearful? Shall they be so shameless to turn their backs upon the enemy, when the old and the infirm are resolved either to conquer or die? I declare, that whoever shall this day be guilty of so base a cowardice, shall be put to death by my order, and his dead carcase deprived of the rites of burial: But he that shall bring me witnesses of his having signalized his courage in the battle, shall, beside the usual honours decreed to men of distinguished bravery, receive from the publick an estate in land, as an additional recompence of his merit*.

Having thus spoken, the Dictator drew up his army in order of battle; Liv. B. 2. and the *Latines*, depending on their numbers, and beginning to want provisions, did not decline the fight. *Titus Tarquinius* was in the center of their army at the head of the exiles and deserters from *Rome*; *Mamilius* ^a commanded the right wing, and *Sextus Tarquinius* the left. In the *Roman* army the Dictator led the main body, *Æbutius* the left wing, and *Virginius* the right.

In this battle, which proved very obstinate and bloody, the Generals of the two armies did not confine themselves to giving orders, but exposed

^a *Dionysius* leaves it uncertain, whether this *Mamilius* was the son-in-law of *Tarquin the Proud*, or the son of that son-in-law.

Year of
R O M E
CCLVII.
Bef. J. C.
Four hun-
dred nine-
ty-five.

Fourteenth
Consulship.
D. Hal. p.
349.

Liv. B. 2.
c. 19.

c. 20.

D. Hal. p.
350.

their persons in the hottest of the conflict, and mutually charged one another. *Titus Tarquinius*, coming out from the center of the *Latines*, ran full speed at the Dictator *Posthumus* to encounter him singly; but receiving a wound in his right side, fell from his horse, and was carried by his own men out of the field. The battalions of the main body having now lost their Leader, (who was mortally wounded) made but a faint resistance, when pressed by the troops of the Dictator. They were already losing ground and beginning to break, when *Sextus Tarquinius* coming up with the choice of the *Latine* cavalry and supported by the exiles, took the place of his brother. Encouraged by the presence and valour of this new Commander, the disheartened *Latines* recovered their ranks, renewed the fight, and made the success of the day in the center doubtful.

In the wings where *Mamilius* and *Æbutius* commanded, the fury of the battle was equal. After a long and bloody conflict, the two Commanders defy'd each other to single combat; *Æbutius* with his lance wounded *Mamilius* in the breast through his cuirass; and *Mamilius* ran his sword through *Æbutius's* right arm. Neither of the wounds was mortal, but both Generals fell from their horses and were carried out of the throng. *Æbutius's* place was then supply'd by his Lieutenant *Marcus Valerius*, (the brother of *Poplicola*.) He put himself at the head of the Roman horse, and with them endeavoured to break the enemy's battalions; but the cavalry of the Roman Royalists, advancing to their succour, quickly repulsed the cavalry of the Republick; and *Mamilius*, not disabled by the hurt he had received, appeared again in the van with a considerable body of horse and light-armed infantry. In this action *Valerius* receiving a wound in his side fell dead from his horse; which occasioned the battle to be renewed with more fierceness than ever. The two nephews of the deceased (the sons of *Poplicola*) fought with inexpressible courage to hinder the dead body from being stript; and having recovered it from the enemy, they delivered it to *Valerius's* servants to be conveyed to the Roman camp: But throwing themselves afterwards into the midst of the enemy, they were both killed upon the spot.

The loss of *Valerius* and his two nephews, and especially the absence of *Æbutius*, greatly disheartened the left wing of the Romans. *Posthumus* perceiving that the soldiers began to give ground, hastened to their assistance with a body of Roman Knights who attended him as his guard. He gave orders at the same time to *Titus Herminius*, one of his Lieutenants, to repair to the rear of the army, command those who fled to stop, and put all to the sword who would not obey. And now the Dictator himself with his Knights giving the reins to their horses, drove with the utmost fury upon the Royalists, broke them, slew many of them, and put the rest to flight. *Herminius* in the mean-while rallied the run-aways, and returning presently to the charge, fell upon some close bat-

* *Livy* (B. 2. c. 19.) makes King *Tarquin* himself to be the person who attacked *Posthumus*; which is very strange, considering, that he supposes him to be the Son of *Tarquinus Priscus*. See *Remarks on the Hist. of the Rom. Kings*, Article *Tarquinus Priscus*.

talions of the enemy's right wing which still kept their ground. His chief aim was at the person of *Mamilius* who commanded them, and who was easily known by his tall stature, and the richness of his habit and armour. The *Roman*, to come at him, beat down all that stood in his way; he then attacked him, and with his first blow laid him dead upon the ground: Nevertheless he lost his own life by a wound from an unknown hand, while he was busy in stripping the Body of his enemy.

Year of
R O M E
CCLVII.
Bef. J. C.
Four hun-
dred nine-
ty-five.

Fourteenth
Consulship.
D. Hal. p.

350.

During all this time *Sextus Tarquinius*, who had returned from the center of the *Latines*, and put himself again at the head of the left wing, maintained the fight with great bravery against the Consul *Virginus*. He had even broke the right wing of the *Roman Army*, when *Posthumus* appeared on a sudden with his victorious squadrons, to support it. This unexpected turn of affairs made *Sextus* lose at once all hopes of victory. Rushing therefore among the thickest ranks of the *Roman Knights*, he there sunk under a multitude of wounds, after he had sold his life dear.

The death of *Sextus Tarquinius* was followed by the entire rout of the *Latines*, who had before lost their two other Generals. Their camp was taken the same day, and the plunder abandoned to the *Roman Soldiers*. No victory, hitherto gained by the *Romans*, had been either more necessary or more compleat. Scarce 10000 of the 43000 *Latines* who had come into the field, returned home. The whole Nation, for a long time after, felt this severe stroke; nay, it may be truly said, they never recovered of the blow which they received in the battle of *Regillus*.

Posthumus, the next morning, distributed the usual rewards to those who had behaved themselves well in the action, and returned thanks to the Gods by sacrifices. Scarce were these ceremonies ended, when the scouts brought intelligence, that a great body of troops covered the plain, and was marching in order of battle. It was the *Volsii* come to the assistance of the *Latines*. Finding at their arrival how matters had gone, some of them were for falling upon the *Romans* before they could recover from the fatigue of the preceding day; but another party, willing rather to ingratiate themselves with the Conquerors, prevailed to send messengers to the Dictator, to tell him, they came to his assistance. *Posthumus* convicted them of falshood by their letters which he had intercepted; and giving leave to the messengers to return, whom the multitude would have torn to pieces, he resolved to attack the *Volscian* army the next day: but in the night they broke up their camp and fled.

p. 352.

p. 353.

The Dictator at his return to *Rome* was honoured with a triumph; and to his other names was added that of *Regillensis*, from the place of the late action. He allotted a tenth part of the spoils to defray the expences of the publick Games, and to build some temples in honour of the Gods; particularly one to *Castor*,^a and *Pollux*, who were said to have appeared during the battle of *Regillus* upon white Horses, and to have fought for the *Romans*.

The

^a *Dion. Hal.* relates a fabulous story of two young horsemen, of an extraordinary and majestick stature, who during the action appeared to *Posthumus* and his party. They marched

Year of
R O M E
(C L V I I .
B e f . J . C .
Four hun-
dred nine-
ty-five.

Fourteenth
Consulship.
p. 355.

The *Latines* having now no remedy, but in an absolute submission, chose deputies out of those cities which had opposed the war, to be mediators at *Rome*, in favour of the whole Nation. These appeared in the Senate, bearing in their hands olive branches bound round with wool, the usual marks of suppliants. They laid the blame of the rupture wholly upon the Nobility of the country under the influence of the *Tarquins*. They represented in a moving strain the loss they had sustained of all the flower of their youth; that scarce a family in *Latium* was out of mourning. They conjured the *Romans* to have regard to consanguinity, and the zeal which the *Latines* had formerly shewn for the interests of *Rome*; and in conclusion, they yielded themselves wholly to the judgment of the *Fathers*, laying at the feet of the Dictator the badges which they bore of suitors and suppliants.

Rome, had long since made it a maxim, to spare the Nations which submitted; and *Titus Lartius*, the late Dictator, declared himself for observing it in the present case. He advised a total oblivion of the fault committed by the *Latines*, and a renewal of the ancient treaties with them. Nevertheless the Senate was not without some severe men, who were for razing all the cities of *Latium*, seizing their territories, and reducing the inhabitants to slavery. Among these was *Spurius Cassius*. Others were for depriving them of half their lands, by way of punishment; and, in consideration of kindred and blood, for leaving them in possession of their liberty. But the opinion of *Lartius* being approved by *Posthumius*, there was no further opposition to it; and a Decree was accordingly passed for renewing the old League; on condition however, that the *Latines* restored the prisoners they had taken, delivered up the deserters, and drove the *Roman* exiles out of *Latium*.

Such was the end of the last war which the *Romans* had with their neighbours on account of their banished King. As for *Tarquin* himself, the only person now left of his family, being abandoned by the *Latines*, *Hebrurians*, *Sabines*, and all the other free States about *Rome*, he retired marched at the head of the cavalry, striking terror among the *Latines*, whom they wounded with darts and lances. In the evening, after the victory, the same horsemen appeared at *Rome* in the *Forum*. Their fierce and threatening countenances, and their horses all dropping with sweat, made people conclude that they were returned from the battle. When they had dismounted, they washed themselves in the water of a spring that rose near the temple of *Vesta*; and they told the crowd of citizens, who surrounded them, the first news of the victory gained by the *Romans*; after which, they disappeared. The next morning the Magistrates receiving letters from the Dictator, which among the other circumstances of the battle mentioned the sudden appearance of the two young horsemen, who fought for the *Romans*, it was concluded they were the same who had brought the news to *Rome*, and that they could be no other than *Castor* and *Pollux*. *Plutarch* in his life of *Paulus Æmilius*, adds to this relation, that *Lucius Domitius* was the first who was informed by *Castor* and *Pollux*, of the entire defeat of the *Latines*: and to make the fable still more wonderful, the same author affirms, that, *Domitius* having appeared surprized at the account, the two horsemen took him gently by the beard, and it immediately changed its colour from black to red; which miracle confirmed the relation, and got *Domitius* the surname of *Æno-barbus* Brazen-beard: and this story, fabulous as it is, was believed among the *Romans*. They transmitted it to posterity by public monuments, which were still subsisting in the time of *Dionysius*.

into *Campania* to *Aristodemus*, Tyrant of *Cuma*. Here he shortly after ended his days, at about 90 years of age, and after 14 years exile, which he had made remarkable, by almost as many wars.

Year of
R O M E
CCLVII.
Bef. J. C.
Four hun-
dred nine-
ty-five.
Fourteenth
Consulship.

It must be granted, that *Tarquin* had several of those endowments and qualifications which enter into the character of a Hero; intrepid courage; experience in arms; an excellent capacity for negotiations; an address whereby, even in banishment, and when divested of all power, he could alienate from the *Romans* their ancient Allies, and unite those Allies against his enemies; an invention fruitful in expedients; and a steady resolution never to quit his claim to Empire but with life. All these made an assemblage of qualities not to be despised. But with these he had also in his nature such a strange composition of the most extravagant vices, as could not but prove fatal to his usurped tyranny. And as a judicious * writer has observed, had not the death of the unfortunate *Lucretia* administered to the *Roman* people an opportunity of liberty, yet a far slighter matter would have served them for a specious reason to endeavour the assertion of their rights.

* Kenn.
Antiq.

The freedom which the *Romans* recovered by the expulsion of *Tarquin the Proud* was now secured to them by his death; a freedom that was indisputably the source of all their future grandeur. Nevertheless it is the opinion of *Livy*, that this very freedom, had they assumed it more early, and wrested the Royal Power from any of their former Princes, would have proved the ruin of the rising state. For what, says he, would have been the consequence, if that commonalty, made up of herdsmen and outlaws from other countries, who found refuge and impunity at *Rome*, if they, being set free by some *Brutus* from the dread of Majesty, had begun to be ruffled and agitated by the storms of *Tribunician* fury, and, in a strange City, to engage in quarrels with the Nobles, before the pledges of wives and children, and an affection (not quickly entertained) for the very place and soil, had associated their hearts, and linked them together in one common interest. Certainly the State not yet come to maturity, would through discord have faded and perished; whereas a peaceable and gentle government fostered and cherished it, and by a proper nourishment brought it to such strength and perfection as to be able to produce the wholesome fruits of liberty.

Liv. B. 2.
c. 1.

How just this reflection of the *Latine* historian is, will sufficiently appear by the events which come next to be related.

C H A P. V

§. I. *Domestick broils at Rome.* §. II. *The Volsci encouraged thereby, prepare to fall upon the Romans. The Plebeians refuse to list themselves for the war. Servilius, one of the Consuls, with an army of volunteers, who follow him out of personal affection, terrifies the enemy into a submission for the present; but he has no sooner led back his army, when they renew their preparations to attack the Republic.* §. III. *While the Senate are con-*

con-

consulting about the levies to be made on this occasion, a sudden accident occasions an insurrection at Rome. Servilius appeases the tumult. News comes that the Volsci are approaching. Servilius by fair promises in relation to the debts engages the people to list themselves. §. IV. He defeats the enemy, and, tho' the Senate refuse him a triumph at his return, on account of his indulgence to the soldiers, he triumphs in spite of their opposition. §. V. After this he takes the field again, and defeats the AURUNCI. §. VI. The debtors at his return from the war claim the performance of his promises. Servilius, not having power to make them good, is treated by the people with contempt. He thereupon becomes their enemy, and the sedition increases.

D. Hal. R.
6. P. 358,
& 109.

§. I. **S**CARCE was the dangerous war with the Latines over, and the Dictatorship of *Posthumius* expired, when the domestick feuds and dissensions at Rome revived. The Senate, who thought it needless any longer to court the people, or even to shew them any condescension, revoked, by a decree, that suspension of the suits for debt, which nothing but necessity had before induced them to grant. The creditors began to prosecute their debtors with more rigour than ever; and these of course renewed their murmurs and complaints. To prevent the mischiefs which this grand affair might occasion, the Senate procured the Consulship for *Appius Claudius*, whose resolution they were well acquainted with. But lest he should carry it too far, they gave him, for his Colleague, *P. Servilius*, a man of a gentle, humane character, and agreeable to the poor and the multitude. These two Magistrates were sure to be of contrary opinions. *Servilius*, out of goodness and compassion to the unfortunate, inclined to the remission of the debts, or at least of those exorbitant and accumulated interests which considerably exceeded the principal. He exhorted the Senate to make some regulation in this matter, that might ease the people, and settle the tranquillity of the State upon a lasting foundation.

Year of
R O M E
CCLVIII.
Bef. J. C.
Four hun-
dred nine-
ty-four.

Fifteenth
Consulship.

But *Appius*, a severe observer of the laws, maintained, with his usual constancy, that it was a manifest injustice to relieve the debtors at the expence of their creditors; that this project tended to the very ruin of the subordination necessary in a well governed State; that the condescension which *Servilius* was for shewing to the necessities of the people, would be looked upon by the seditious, only as a disguised weakness, and so breed new pretensions; whereas nothing would be a better proof of the power of the Government, than a just severity shewed to those who by their disobedience and cabals had violated the Majesty of the Senate.

This diversity of opinion produced nothing but bitterness of speech and personal reflections. The Senate assembled daily, and as often broke up without coming to any conclusion. In the mean time the people continued to be oppressed and to complain. Being informed of what passed in the Senate, and of the different inclinations of the two Consuls, they showered many praises upon *Servilius*, and heaped as many imprecations upon *Appius*. The most seditious among the multitude flocked together:

They

They held secret assemblies in the night and in by-places; and, in a word, the discontent and disorder in the City were such as seemed to presage nothing less than a civil war.

§. II. THE news of these disturbances at *Rome* having reached the *Volsci*, they immediately began to draw their forces together, in order to march and besiege it; believing they could never have a more favourable opportunity to crush the new Republick, which they hated, and had always looked upon with a jealous eye. Had the authority of the Senate been regarded, an alarm of this kind would have been the luckiest thing that could have happened for their views, because it furnished a pretext to send away the most mutinous of the people from the City: But the *Roman* youth, being summoned as usual to be listed for the service, absolutely refused to appear; and this disobedience occasioned another dispute between the Consuls. *Appius* was for punishing the refractory with rigour, and *Servilius* for more indulgence.

As it was necessary to take the field against the enemy, the Senate without coming to any determination about the affair of the debts, decreed that *Servilius* should conduct the war, and *Claudius* govern the City. They made this regulation, in hopes that *Servilius*, being a popular man, would have less difficulty than the other to levy an army. Nevertheless the people still refused to list themselves in the accustomed manner. What troops he could raise were only volunteers who offered to serve, out of personal affliction to the General. They were indeed the more formidable on this account; and the Consul marched them strait into the enemies territory. The *Volsci*, depending on the civil broils at *Rome*, and little expecting that they should so soon have occasion to act upon the defensive, had not made such expedition in their preparations for the war, as to be in a condition to face the *Romans* in the field. They were forced therefore to have recourse to supplications and intreaties; and by these they wrought upon the easy Consul to favour them. He required of them only subsistence and cloaths for his troops, and 300 hostages of the best families.

Not long after the return of *Servilius* to *Rome*, and when the rich Patricians, believing the state to be in no danger from any quarter, were pursuing their poor debtors with the usual severity, some Envoys from the *Latines* arrived in the City, bringing with them by force certain Deputies who had been sent by the *Volsci* to the *Latine* Nation. Those Deputies had been commissioned to engage the *Latines*, if possible, to join with the *Volsci*, the *Hernici* and *Sabines* in a league against *Rome*: But the *Latines* quite humbled by their defeat in the battle of *Regillus*, would listen to no proposal for a new rupture with the Republick; and the *Romans*, to reward their fidelity, and the zeal they shewed on this occasion, restored them 6000 prisoners taken in the last war; these captives they also new clothed before they sent them home, in order to make the favour yet more obliging.

§. III. THE discovery made by the *Latine* Envoys of the secret negotiations of the *Volsci*, was more than sufficient to determine the Senate to a

Year of
R O M E
CCLVIII.
Ref. J. C.
Four hundred ninety-four.
Fifteenth
Consulship.
D. Hal. p. 359.

p. 361.

Liv. B. 2.
c. 22.

Year of
R O M E
CCLVIII.
Bef. J. C.
Four hun-
dred nine-
ty-four.

declaration of war againſt them: But the *Fathers* had now the ſame difficulties as before, in relation to the levies. They were aſſembled to debate this matter, and likewise what number of ſoldiers it would be proper to raiſe in the preſent exigence, when a ſudden accident ſuſpended their deliberations; and the calamity of a private citizen occaſioned a general inſurrection of the people.

Fiftieth
Conſulſhip.
Liv. B. 2.
c. 21.
D. Hal. p.
361.

A *Plebeian*, loaded with chains, threw himſelf into the publick place as into an *Aſylum*. He was a man in years, tall of ſtature, meagre, pale, and his eyes ſunk into his head; his cloaths dirty and ragged, his beard buſhy, his hair matted, and his appearance all together a ſhocking ſpectacle. Nevertheless he was very well known; and ſome remembered to have been with him in the wars, and to have ſeen him fight with great valour. He himſelf named the Conſuls and the Tribunes under whom he had ſerved, and, addreſſing his ſpeech to a multitude of people that ſurrounded him, and earneſtly enquired the cauſe of his deplorable condition; he told them, that while he bore arms in the laſt war againſt the *Sabines*, he had not only been hindered from cultivating his little inheritance, but that the enemy, in an incurſion, had plundered and burnt his houſe. That the neceſſities of life, and the tributes which, notwithſtanding his miſfortunes, he was obliged to pay, had forced him to contract debts; that the intereſt being by degrees grown to an exceſſive ſum, he was reduced to the melancholy expedient of yielding up his inheritance to diſcharge part of it. But that the mercileſs creditor, not being yet quite paid, had dragged him to priſon, with two of his children; that to oblige him to haſten the payment of the reſidue, he had delivered him over to his ſlaves, who by his order, had torn his body with whips: At the ſame time throwing off his garment, he ſhewed a back ſtill bloody with laſhes, ſuffered from his creditor; and a breaſt covered with the ſcars of wounds he had received in battle.

T. 362.

The people already ripe for ſedition, and juſtly provoked at ſo barbarous an action, uttered a thouſand cries of indignation againſt the *Patricians*. The noiſe ran in a moment over the whole City, and the people ſlocked from all parts into the *Forum*. Thoſe whom the like miſfortunes had thrown into the fetters of their creditors, made their eſcape; and ſedition quickly found leaders and abettors, and the authority of the Magiſtrate was no longer regarded. The Conſuls, who came in hopes of putting a ſtop to the diſorder by their preſence, being ſurrounded by the people hot with fury, found neither reſpect nor obedience in the citizens.

Mid.

Appius, abhorred by the multitude, was juſt going to be inſulted, if he had not eſcaped under favour of the tumult. *Servilius*, though more agreeable to the people, was forced to throw off his conſular robe, and without any mark of his dignity, to run into the thickeſt of the crowd. He caſſed and embraced the moſt mutinous, and with tears in his eyes conjured them to appeaſe this diſorder. He gave them his word that he would immediately call the Senate, and take as much care of the people's intereſts in it, as any *Plebeian* could do; and as a proof of his ſincerity,

he

he proclaimed by a herald, that no citizen should be arrested for debt, till the Senate had made some new regulation in this affair.

Year of
R O M E
CCLVIII.
Bef. J. C.
Four hun-
dred nine-
ty-four.
Fifteenth
Consulship.

The people upon his word dispersed themselves; and the Senate immediately assembled. *Servilius* laid before them the disposition of men's minds, and the necessity, in such a conjuncture, of abating somewhat of the severity of the laws. *Appius*, always faithful to his first opinion, firmly opposed this measure, and as he could never help tincturing his counsels with the austerity of his character, and the harshness of his manners, he publickly upbraided his Colleague with being a flatterer and a slave of the people. *Servilius*, in his turn, reproached him with the obstinacy of his temper, his pride, and the animosity he shewed against the *Plebeians*. Each Consul had his party. The warm contention, occasioned by this opposition of sentiments, had begun to raise a great noise in the assembly, when some horsemen came full speed with an account, that an army of *Volsi* were upon their march to *Rome*.

Liv. B. 2.
c. 24.

This alarming news had not the same effect on all. The Senators, their Clients, and the richer sort of *Plebeians* took arms: But those who were oppressed with debts, shewing their chains, asked with a bitter smile, whether it was worth their while to expose their lives to preserve such ornaments? And all these *Plebeians* obstinately refused to give their names to be enrolled.

Rome was at this time in such an agitation as usually precedes the greatest revolutions; the Consuls divided; the people disobedient to their Magistrates; an enemy at the gates. The Senate, who were almost equally afraid of the citizens and the *Volsi*, engaged *Appius* to take upon him the defence of the city; because they hoped the people would more willingly follow his Colleague into the field. *Servilius*, being appointed to march against the enemy, conjured the people not to abandon him in this expedition; and, to prevail upon them to take arms, he published a new prohibition against detaining in prison any *Roman* Citizen who was willing to go with him to the war, or seizing his children or his goods: And by the same edict he engaged himself, in the name of the Senate, to give the people, at his return, all reasonable satisfaction, with relation to their debts.

This declaration was no sooner published, but the people crowded to list themselves, some out of affection to the Consul, whom they knew to be their friend, and others that they might not stay in *Rome* under the severe and imperious government of *Appius*. But of all the *Plebeians*, none enrolled themselves more chearfully, than those very persons who had been most active in the last tumult.

§. IV. AS soon as the levies were completed, *Servilius* marched to meet the enemy, and, when he was come within a small distance of them, encamped, a little before night, near the *Pontine* lake. The *Volsi* insulted him the very next morning in his camp. The Consul was in no haste to leave his entrenchments, not being yet sufficiently assured of the good will of his troops; but when he overheard his men accuse him of inactivity, and by their shouts was convinced of their eagerness to fight,

D. Hal. P.
c. p. 364.
Liv. B. 2.
c. 25.
* In Latin.
L. 11.

Year of
R O M E
CCLVIII.
Bel. J. C.
Four hundred
and ninety
four.

Fifteenth
Consulship.
D. C. C. L. V. I.
3^d

he immediately ordered all the gates of his camp to be opened, and a general rally to be made. The *Volsi* could not stand the attack of the *Romans*, but were entirely defeated; and the Consul, to reward his soldiers, gave them all the plunder of the enemy's camp, which was very rich, to enable them to pay their debts.

He then marched to *Suessa Pometia*, a considerable city of the *Volsi*, took it by assault, and put all to the sword who were past the age of puberty; an act of barbarity which seemed contrary to his natural temper. (*Appius* at the same time beheaded the 300 *Volsian* hostages at *Rome*.) As to the spoil of *Suessa*, *Servilius* abandoned that likewise to his soldiers, without reserving any part of it for the public treasury.

This profuseness of the Consul to his troops highly displeased his Colleague. *Servilius* in his return to *Rome*, where he doubted not to obtain a triumph, received intelligence that *Appius* had persuaded the Senate to refuse him that honour, under pretence, that he was a seditious man, who aimed at popularity by an excessive indulgence to his soldiers. The conqueror, touched to the quick with so undeserved a treatment, no sooner came before *Rome*, but he caused the People to be called together in a field without the walls, and there complained to them of the jealousy of his Colleague, and the injustice of the Senate. He presently found by the disposition of the audience, that he might attempt whatever he pleased. Without regard therefore to the Senate's decision, he immediately decreed himself a triumph, and marched with the usual pomp to the capitol, attended by his army and all the people.

D. C. C. L. B.
P. 56,
3^d.

§. V. BEFORE the expiration of this Consulship, a new enemy started up against the Republick. *Acetia* a *Volsian* town had lately submitted to the *Romans*; and there had sent thither a garrison to defend it. The *AURUNCI*, a small community that possessed a part of *Campagna*, not far from the *Ecetra*, took umbrage at the neighbourhood of that garrison, they sent to *Rome* a haughty demand to have it instantly removed; and they added threatenings in case of a refusal. The Senate in answer, bid the Envoys go tell their Masters, That it was a dangerous thing to attack those whose very neighbourhood was formidable to them. A war presently ensued. The *Aurunci* entered *Latium* and advanced as far as *Ardea*. There the *Romans* came up with them, and, at first sight of these new ene-

Servilius made an halt, as soon as he came before *Rome*, because the Laws did not permit him who demanded a triumph to enter into the city. He was obliged to keep without the walls with his army, and there wait for the consent of the Senate; to which he, according to custom, sent a letter wrapped up in *lurel*. Upon the receipt of this, the Senators assembled in the temple of *Bellona*, which stood in one of the suburbs of *Rome*. Here the General gave them an account of his expedition, after which they made a decree, whereby they granted the conqueror the

honours of a triumph. This decree was reported to the people, who confirmed it, and fixed the day for the ceremony, unless the *Tribuns of the People* opposed it, which sometimes happened. And this Law was a great instance of the policy of the *Romans*. An ambitious General at the head of a victorious army, might have caused great disorders in *Rome*, if he had been permitted to enter it with his army; and might by force have obtained a triumph, which he had not merited. C. & R.

^b This triumph is not marked in the *Cassian Tables*.

mies, were a little daunted at their gigantick stature, those fierce looks, and that martial air which distinguished them from all the other Nations of *Italy*: However, calling to mind the great abilities of their own Generals, *Servilius* and *Posthumus Regillensis* (which latter commanded the cavalry) this restored their confidence. In the beginning of the action the *Romans* had much the disadvantage, being very unequal in strength to the enemy, and unable to sustain the fury of their first charge; and, to their further discouragement, they quickly found that their horse could be of no service to them, because the field of battle was extremely uneven and full of rocks. *Posthumus* nevertheless recovered the day by his able conduct. Making his cavalry dismount, he led them to the assistance of those battalions that were giving ground, and by his words and example in a short time brought them again into order; after which the enemy were soon routed and their camp taken. The *Aurunci* entirely disappearing, *Servilius* marched his army back to *Rome*.

Year of
ROME
CCCLVIII
Ref. J. C.
Four hundred
nine
ty-four.
Fifteenth
Consulship.

§. VI. AND now after so many victories obtained, chiefly by the bravery of those who were most in debt, the people thought they might confidently demand the performance of *Servilius's* promises; and indeed for his part, he left no means untried to make good his word. He employed his utmost efforts to prevail with the Senate to grant the debtors a general release. But *Appius*, who looked upon the least change in the laws to be dangerous, strongly opposed his Colleague's desire. He gave the creditors fresh power to drag the debtors to prison; and the applauses he thereby got from the rich, and the curses from the poor, equally concurred to the confirming this Magistrate in his severity.

LIB. B. 2
C. 27.

Those who were arrested, appealed to *Servilius*; they urged upon him the promises he had made to the people before the campaign, and the services they had done in the war. They cried aloud before his tribunal, that either in quality of Consul he should undertake the defence of his fellow-citizens, or, as General, not desert the interest of his soldiers. But *Servilius*, who was naturally timorous and averse to strife, durst not declare openly against the whole body of Patricians; and by endeavouring to manage both parties, he disoblighed both, so that he got the hatred of the one, and the contempt of the other.

How low he was sunk in the esteem of the people most remarkably appeared, when the time came to consecrate a temple which had been erected to *Mercury*. The consecrator was to have considerable powers and privileges. He was to be the Head and Founder of a society of Merchants in *Rome*; to have the charge of furnishing the city with provisions, and to inspect them; and he was to have all the honours, and perform all the functions of a *Pontifex Maximus* within the verge of this temple. *Appius* and *Servilius* standing in competition for this office, the Senate were unwilling to decide any thing in the matter, and therefore referred it wholly to the people. This would some time ago have been in

C. 27

^a *Mercury* was thought by the *Pagans* to be the God of Commerce, whence *Cicero* calls Merchants *Mercuriales*.

Year of
R O M E
CCLVIII.
Bef. J. C.
Four hun-
dred nine-
ty-four.

Fifteenth
Consulship.

effect to decree in *Servilius's* favour; but at present the people were so much dissatisfied with both their Consuls, that they would not bestow the honour in question upon either of them; they chose one *M. Latcrius*, who was only a centurion, to perform the consecration. Hereupon the two Magistrates, equally enraged, joined with the Senate in putting the laws in execution against the debtors with the utmost rigour; a vain effort of revenge; for the multitude paid no regard to their authority. When any *Plebeian* was prosecuted for debt, the populace came in crowds into court, and made such a noise, that the sentence, pronounced by the Judges, could not be heard. The debtors no longer endeavoured to appease their creditors and mollify the Senate by entreaties, they insulted both; and instead of the *Plebeians*, the *Patricians* were now in danger of imprisonment and slavery. Nothing prevailed in the City but tumult and violence.

C H A P. VI.

- §. I. *The people refuse to obey the summons of the new Consuls (A. Virginius and T. Veturius,) to lift themselves for a war against the Sabines, Aequi, and Volsci. Manius Valerius, a brother of Poplicola, is created Dictator.*
 §. II. *Valerius prevails with the people to serve, by promising them full satisfaction in relation to their complaints when the war shall be over, and by suspending in the mean time all prosecutions for debt. Three armies are raised, to be commanded by the Dictator and the two Consuls. The enemy are defeated on all sides.*
 §. III. *The Dictator at his return home demands of the Senate to discharge his engagements to the debtors. His demand is rejected. He excuses himself to the people and resigns the Dictatorship.*

Year of
R O M E
CCLIX.
Bef. J. C.
Four hun-
dred nine-
ty-three.

Sixteenth
Consulship.
Liv. B. 2.
c. 28.

§. I. **S**UCH was the state of Rome when *A. Virginius* and *T. Veturius*, men of little steadiness, took possession of the Consulate. The most considerable of the discontented *Plebeians* held private assemblies by night to consult the proper measures for a redress of their grievances, and for preventing their being drawn by surprize into anything disadvantageous to them, when they should be called together in legal *Comitia*. Notice being brought to the Consuls of these secret meetings, they informed the Senate of them, submitting it to the wisdom of that venerable body to prescribe a remedy for the growing evil; a deference that was by no means agreeable to the Conscrip Fathers, who saw through the policy of their Magistrates, that were unwilling to draw the odium of punishing the offenders upon themselves. The Senate having severely reproved them for their timid conduct, ordered them immediately to raise an army in legal form, for a war which threatened the Republick. It seems the *Sabines*, encouraged by the intestine broils at Rome, had revolted, and they had engaged the Roman colony of *Medulia* to enter with them into a league confirmed by oaths. The Consuls according to their instructions summoned the tribes, but it was to no purpose, the people being obstinately determined not to lift themselves till such time as all debts should be abolished. *Virginius* and *Veturius* finding that no-body regarded their sum-

mons, laid all the blame of the disobedience upon the Senate. They even accused the *Fathers* to the *Fathers* themselves, and they added, *Let those of you who are the boldest within doors, at making severe decrees, now shew their heads without doors, and face the fury of the multitude. You will then see whether it be to our want of courage, or to your false measures, that the untractableness of the people is owing.* These words so provoked the younger Senators, that, leaving their seats, they surrounded the Consuls, called them cowards, and bid them come down from their thrones and discharge themselves of a burthen that was too heavy for their weakness.

Year of R O M E CCLIX. Bef. J. C. Four hundred ninety-three. Sixteenth Consulship. Liv. B. 2. c. 29.

After some time spent in these mutual reproaches, the Consuls returned once more to the *Livorum*, guarded by a good number of the Senators, to add the more weight to their authority. They ascended their tribunal, and called upon one of the most factious by name to come and be enrolled. The man did not answer; and his silence being taken for disobedience, he was instantly seized: but the populace quite furious, tore him out of the lictors hands; and the Consuls experienced on this occasion how little respect is paid to Majesty without strength; they had enough to do to defend the Senators, who attended them, from blows.

D. Hal. B. 6. p. 368.

While the people were thus enraged against the Senate, the Senate against the people, and the Consuls regarded by neither people nor Senate, Envoys came from the *Latines* and *Crustumini* (allies of Rome) complaining of the hostilities of the *Æqui* and *Sabines*; and an Embassy from the *Volses* arrived at the same time, demanding restitution of the lands conquered by the *Romans* from them. Upon this new alarm the Senate assembled extraordinarily. *Titus Lartius*, that venerable Senator, who had been formerly Dictator, gave his opinion first. He said, *That the only way to put an end to these alarms from abroad, was to establish peace at home,* and he proposed, that the assembly might meet again the next day to deliberate about the methods necessary to procure that happiness. That in the mean time the *Volsian* Ambassadors should be answered, *That it was not consistent with the honour of the Republick to comply with their demands.* And as to the allies, he advised, that assurances should be given them, *that Rome would never leave them exposed to the insults of their enemies.* This advice was approved and followed.

p. 369.

The next day the Senate sat again. The Consul *Virginius* spoke first, and proposed a medium between the severity of *Appius* and the general release of debts. He was for having those soldiers, who had fought so successfully the last year, protected by the Senate against their creditors; but for leaving the other debtors to the severity of the law.

Liv. B. 2. c. 29. D. Hal. p. 370.

Lartius stood up next and said, That he saw, with abundance of grief, Rome split as it were into two Cities: That one was full of nothing but riches and pride, and the other of misery and rebellion: That there was no appearance in either of justice or of honour, or even of common decency; that the haughtiness of the great was no less odious than the disobedience of the lower sort; that he could not but foresee, the extreme poverty of the people would always keep up dissension; and that he did not

not

Year of
R O M E
(CLIX,
Bel. J. C.
Four hun-
dred nine-
ty three.

Sixteenth
Consulship.

not think it possible to restore peace and union between the two orders, by any other means than a general abolition of the debts.

Appius, when it came to his turn to speak, was equally against both these proposals: He affirmed, That the frequent mutinies among the people did not proceed so much from their want, as from an unbridled licentiousness, which seditious men were pleased to call by the name of liberty; and from the abuse which they made of the *Lex Valeria*. "They violate," said he, "the Majesty of the Consuls with impunity, because they know they can appeal from the condemnation of their crime to the very accomplices of it: and what order can we ever hope to establish in a State, where the decrees of the Magistrates are subject to the revival and judgment of a rabble guided wholly by their fury and caprice? Let us create a Dictator, whose judgments are without appeal; and then we need not fear, that even the most daring of the *Plebeians* will be so insolent as to repulse the lictors of a Magistrate, who has the sovereign disposal of their lives and fortunes."

D. Hal. p. 371. The younger Senators, and those especially whose interest was concerned in the abolition of the debts, declared for *Appius's* opinion; and were even for conferring the Dictatorship upon him: They said, that a supreme Magistrate of his firmness and intrepidity was absolutely necessary to reduce the people to their duty. But the more experienced and the more moderate of the Senate thought the Dictatorial power, always formidable, would be very improperly placed in the hands of a man naturally severe and inflexible. By their advice one of the Consuls named to that office *Manius Valerius*, a man of above 70 years of age, brother to the famous *Papirius*. This nomination was indeed contrary to law, which required that the Dictator should always be chosen out of such as had been, or were actual Consuls; but as no person was judged so proper for that station at this time, the necessity of the case made the Senate overlook rules.

D. Hal. B. 1. P. 371. §. II. *VALERIUS*, *Plebeian* in his inclination, named, for General of the Horse, *Quintius Servilius*, the brother of the last year's Consul, and who thought, as the Dictator himself did, that there was a great deal of justice in the people's complaints. Then having convened a general assembly of the Citizens, he told them, That they need not have any apprehensions, that either their liberty, or the *Lex Valeria*, which was its chief support, would be in danger under a Dictator of the family of *Valerius Papirius*. That he did not ascend his tribunal to cheat them with false promises. That indeed there was a necessity of their marching against the enemies who were advancing towards *Rome*; but that he would engage in his own name, and on the part of the Senate, to give them full satisfaction, with relation to their complaints, at their return from the campaign: He added, "And in the mean while, by the sovereign authority with which I am invested, I declare your persons, your lands, and your goods, to be perfectly free: I suspend the effect of all obligations that might be made use of to give you trouble. Come and assist us to conquer new lands from our enemies for your use."

This

This speech filled the people with hopes and with comfort. Every body took arms with pleasure, and ten legions were raised compleat; three were given to each Consul, and the Dictator reserved four to himself. The Romans marched against the enemy on different sides. The Dictator gained a notable victory over the Sabines, laid waste their country, and enriched his foldiers with spoil: The Consul *Veturius* routed the *Volturni*, after which he took their camp, and then *Vélitæ*, into which place he entered sword in hand in pursuit of the vanquished: And *A. Virginus*, the other Consul, obtained over the *Æqui* a victory, which, by reason of their hasty flight, was without much bloodshed. Except the victory at *Regillus*, the Romans had never gained a more important one than that of the Dictator over the Sabines. Accordingly he was decreed a triumph by both Senate and People; and as a further mark of distinction, they allotted him an honourable place in the Circus, at the celebration of the publick games, and appointed that a curule chair should always be placed there for him; and this honour they made hereditary in his family.

§. III. THE Senate apprehending that the foldiers at their return would challenge of the Dictator the execution of his promise, desired him and the two Consuls to detain them still under their ensigns, upon pretence that the war was not quite finished. The two Consuls obeyed; but the Dictator, whose authority was independent of the Senate, disbanded his army. He declared his foldiers free of the oath they took when they lifted themselves; and as a new proof of his affection to the Plebeians, he chose out of that order four hundred of the most considerable, whom he brought into that of the Knights. He then went to the Senate, and demanded that a decree should be pass'd for the abolition of the debts, pursuant to the promise he had made the people. The oldest Senators and the best men, excepting only *Appius*, were for consenting to this demand. But the faction of the rich got the better, being supported by the young Senators, who thought that nothing could be done for the relief of the people,

* The giving the military oath, which was called *Sacramentum*, was properly speaking, the legal method of forming the Roman armies. After the soldiers had been chosen out of each tribe, in the manner elsewhere described, this oath was administered to them. The ceremony was this. The Tribunes of each Legion assembled the body they commanded. Then one soldier in a Legion swore, in the name of all the rest, to obey the Commanders of the Roman army. After this, every soldier came, and singly engaged to perform what had been sworn. This custom continued till the 538th year of Rome; and then another oath, called by *Livy*, B. 22. *Jusjurandum*, (of which we shall speak in its proper place) was added to the former. By virtue of this engagement, rebels and deserters were punished with death, and no appeal

admitted. There was likewise another way of enlisting men, which was called *Conjuratio*. It took place, in case of unforeseen commotions, and the sudden irruptions of an enemy. Then, that no time might be lost in raising the necessary succours, the foldiers were excused the formalities usually observed in enrolling them. The General only went up to the Capitol, and there erected two standards; one red, for the foot; and the other blue, for the horse. After which, he pronounced these words, with a loud voice: *Let those who love the safety of the Republick, make haste and follow me.* A third way of enrolling or enlisting men, then in use, was this. The Consuls committed it to the care of chosen persons, to raise troops in different places, as the Republick had occasion for them; and this was called *Evocatio*. C. & R.

Year of
ROME
617.
B.C. J. C.
One hundred
ninety-three.
Sixteenth
Consulship.
p. 373.

LIV. B. 2
C. 34.

D. HALL B.
6. P. 373.

Year of
R O M E
CCLIX.
Bef. J. C.
Four hundred nine-
ty-three.

Sixteenth
Consulship.
I n. B. 2.
c. 31.

but to the diminution of the Senate's authority. There were even several who, presuming upon the Dictator's mildness of temper, reproached him, that he fought by the vilest methods the applauses of a base populace. Not only his demand was rejected, but he was made to understand, that if his dictatorial dignity had not set him above the laws, the Senate would call him to an account for disbanding his army, as an action contrary to the military laws, while the enemies of the Republick were still in arms.

The venerable old man answered, "I plainly perceive that I am not agreeable to you: I am accused of being too popular; may the Gods grant that all the defenders of the *Roman* people, who shall rise hereafter, may be as moderate as I am! But expect not that I will deceive my Fellow-Citizens, who took up arms upon my promise, and who at the price of their blood have triumphed over your enemies. A foreign war, and our domestick feuds, were the occasion of the Republick's honouring me with the Dictatorship. We now have peace abroad, and I am hindered from establishing it at home; thus my office being grown usefess, I am resolved to hold it no longer. I had rather behold the sedition as a private person, than with the title of Dictator." Concluding with these words, he left the Senate abruptly and convened an Assembly of the People.

D. Hal. R.
c. p. 374,
375.

When the Assembly was formed, he appeared in it with all the ensigns of his dignity; he first returned the people thanks for the readiness with which upon his orders they had taken arms, and then he highly praised the valour they had shewn in every action of the war, against the enemies of the Commonwealth. "You, said he, like good Citizens, have performed your duty. It were now my turn to acquit myself of the promise I made you; but a faction more powerful than the authority of the Dictator himself, hinders the effect of my sincere intentions. I am publicly called an enemy to the Senate; my conduct is censured; it is imputed to me as a crime, that I left you the spoils of our enemies, and above all, that I absolved you from the military oath. I know after what manner, in the vigour of my life, I should have answered such injuries; but they despise an old man of above threescore and ten; and as I am now past either revenging myself, or doing justice to you, I freely resign a dignity in which I can do you no service. If any one of my Fellow-Citizens condemns me for the non-performance of my word, I willingly put my small remains of life into his hands; he may deprive me of it, if he pleases, I shall neither murmur nor oppose."

The Multitude heard this discourse with respect and veneration for the man, and they conducted him to his house with as many praises as if he had pronounced the abolition of the debts.

C H A P. VII.

§. If *The discontent among the people augments. The Consuls, to give the mutineers a diversion, lead their two armies, which they had not yet disbanded,*

banded, again into the field. The soldiers desert their Generals, and, by the advice of Sicinnius Bellutus, retire to a hill three miles from Rome. §. II. The Senate dispatch a deputation to them to persuade them to return; but in vain. Posthumius Cominius, and Spurius Cassius, are chosen Consuls. Warm debates in the Senate. • A second deputation is sent to the mutineers in spite of the remonstrances of Appius Claudius. §. III. The artful management of Sicinnius Bellutus, and Junius Brutus, the two heads of the sedition, in their conference with the Deputies. §. IV. Menenius Agrippa, by his famous apologue, overcomes the obstinacy of the mutineers; but when they are just ready to go back to the city, Brutus puts a stop to their march, till the Senate have agreed to the creation of some new officers, chosen out of the Plebeians, to be the future protectors of the people. These officers are called TRIBUNES OF THE PEOPLE.

Year of
R O M E.
CCLIX.
Bel J. C.
1000
died near
ty-three

Sixteenth
Consulship.

§. I. **A**ND now the Plebeian debtors turned their whole indignation against the Senate, which had so often deceived them: They held assemblies, not by night, but in open day, and seemed determined to keep no longer any measures. The Consuls, who still held their troops engaged by the customary oath they had taken to them, never to quit their ensigns without leave, led them by the Senate's advice out of the city under pretence of apprehending a new war from the *Æqui* and *Sabines*. The soldiers, perceiving the artifice, had no sooner entered the field, but the most furious were for murdering the Consuls, in order to free themselves and their fellows at once from the oath that bound them: But the more sober having represented to those madmen how useless, with regard to their purpose such a crime would be, they, by the advice of one *Sicinnius*, took another method. They snatched up the ensigns, which they had sworn not to desert, and marched away with them. The legions instantly, forsaking their officers, followed; and retired to a hill, (afterwards called *Mons Jacer*) three miles from *Rome*, near the river *Anio*. Here they encamped, and here they continued quiet, observing an exact discipline, and attempting no sort of violence whatever.

Livy, B. 2.
C. 32.

§. II. A DESERTION so general, and which looked like the beginning of a civil war, gave great uneasiness to the Senate. They immediately set guards at the gates of the city, as well for its security, as

D. Hal. p.
376.

* *Dion. Hal.* gives us the reason why the legions so readily followed their ensigns. The *Romans*, says he, when they are in the field, respect nothing more than their ensigns and standards. They are to them as so many Deities. They swear by their military ensigns, and pay them a sort of religious worship. On certain festivals, they crown them with flowers, and perfume them. *Aquila certe, ac signa illa pulverulenta, & custodiis horrida, inunguntur etiam festis diebus. Utinamque dicere possemus quis primus instituisse!* *Plin. B. 13.* This custom is also attested

by an inscription on an ancient marble; which runs thus, CORONÆ INLATÆ SIGNAQUE UNCTA. Animated by this superstitious prejudice, the soldiers braved the greatest dangers, and despised death itself, to secure these precious pledges from being taken by the enemy. It often was treated as a capital crime, a man's suffering his standard to be taken from him: History gives us several instances of those who were condemned to be whipped, and to lose their heads, for having lost the colours committed to their care. C. & R.

Year of
R O M E
CC LIX.
Bet. J. C.
Four hun-
dred nine-
ty-three.

to hinder any more of the *Plebeians* from joining the mal-contents. But, notwithstanding this precaution, those who were burthened with debts, and even many others, who, without being in debt, were discontented, escaped to the mutineers; and *Rome* saw at her gates a very formidable army of her own citizens, ready to turn their arms against those that remained in the city.

Sixteenth
Consulship.

The *Patricians* immediately divided themselves into several bodies, to be differently employ'd: Some at the head of their clients, and of such *Plebeians* as would not take part in the *Secession*, secured the most advanced posts; others intrenched themselves at the entrance of the city; the old men undertook the defence of the walls; and all appeared equally vigorous and resolute.

D. Hal. p.
378.

After these precautions, the Senate dispatched a deputation to the mal-contents, to offer them a general pardon, and exhort them to return into the city. But this step, taken before the swell of passion had subsided, produced nothing but a contemptuous and menacing answer from the *Seceders*, *That the Patricians should quickly find what enemies they had to deal with*: which augmented the general consternation and perplexity in *Rome*.

Year of
R O M E
CC L X
Bet. J. C.
Four hun-
dred nine-
ty-two.

The two Consuls, whose Magistracy was expiring, appointed an assembly for the election of their successors; no-body presented himself candidate for that dignity; several even refused it. At length *Publius Cornilius*, and *Spurius Cassius Viscellinus*, both consular persons, were constrained to accept it; and the Senate pitched upon them, because they were equally agreeable to the Nobles and *Plebeians*, and because *Cassius* especially had always behaved himself very prudently between the two parties.

Seventeenth
Consulship.
B. 6. p.
379. & seq.

The new Consuls began their administration with assembling the Senate to consider of the best and most speedy methods of restoring peace and union in the State.

Menenius Agrippa, a consular person, and eminent for integrity of manners, being the first called upon to give his opinion, declared, that he thought it adviseable to dispatch a new deputation to the mal-contents, and to give the Deputies full power to put an end to this ugly affair, upon whatever conditions they should find necessary for the good of the Republick. Some of the *Fathers* objected, that it would be a derogation to the majesty of the Senate, to send a second deputation to rebels, who had given such an unworthy reception to their first: But *Menenius* answered, that this was no time to insist upon a vain punctilio; that the preservation of the Republick, and even necessity, to which the Gods themselves were submitted, obliged the Senate to court the people. That *Rome*, the terror of her neighbours, was in a manner besieged by her own citizens; that indeed they had as yet committed no act of hostility, but that for this very reason the Senate ought to be the more careful to prevent a war, which, whatever should be the success of it, could not but be fatal to the State.

He added, that the *Sabines*, the *Volsi*, the *Æqui*, and the *Hernici*, all irreconcilable enemies of the *Roman* name, would already have joined the

the rebels, if they had not perhaps thought it more proper to let the *Romans* weaken and destroy themselves by their own divisions. That no great assistance was to be expected from the Allies of the Republic; that as for the nations of *Campania* and *Hebruria*, they were always governed by events, and their faith was to be suspected; that even the *Latins* were not much more to be depended on, a people jealous of the superiority of *Rome*, and even fond of novelty. That the *Patricians* deceived themselves, if they hoped, merely with the help of their clients and slaves, to withstand a combination of so many foreign and domestick enemies.

M. Valerius, (the late Dictator) whose mind was embittered against the Senate, added to what *Menenius* had said, that there was reason to apprehend the mal-contents would renounce their country, and think of settling elsewhere: That *Rome* would become a desert; and the Senate, by continuing inflexible, lose its chief strength. That, if they had followed his advice During his Dictatorship, they might by the abolition of the debts have preserved union and peace between the two orders in the state; but must not imagine that the people, who had so often been cheated by the false promises of the Senate, would now be satisfied with that abolition. That he feared the ill treatment they had received would incite them to demand securities for the future enjoyment of their rights and liberties. That the creation of a Dictator, a modern invention of the Senate's, entirely defeated the purpose of the *Lex Valeria*, the People's refuge, and the guardian of their liberty. That it could not be denied, but many of the *Plebeians* had been despoiled of their lands by the exorbitant interests exacted from them for money lent by certain rich usurers; and those poor wretches thrown into chains and slavery as so many criminals: That indeed the more equitable among the *Patricians* had no share in these tyrannical proceedings, but only some haughty spirits, who aimed at an Oligarchy, and had formed themselves into a faction; at the head of which was *Appius Claudius*, the most declared enemy of the People, and who was always endeavouring to perplex and embroil the publick affairs. And he concluded with seconding the motion of *Menenius* for sending a new deputation to the Seceders.

Appius, when it was his turn to speak, rose up, and addressing himself to *M. Valerius*, said, "If you had confined yourself barely to give your opinion upon the affair in question, without falling upon me so unjustly, you had not exposed yourself to hear truths, which may not be very agreeable to you. But before I offer them to this Assembly, it is fit I should answer your calumnies. Tell me, *Valerius*, Where are the *Romans* whom I have prosecuted with the rigour of justice, to oblige them to pay me what they owe me? Name the Citizens whom I have kept in chains; go search among the crowd of mal-contents, and see whether there be one man who will say, he left the City out of fear of being imprisoned by me. Every body knows that I have used my debtors like my clients and friends; that without considering

Year of
ROMAN
CCLX.
Bef. J. C.
Four hundred
ninety-two.
Seventeenth
Consulship

p. 386. l. 4
seq.

" the

Year of
R O M E
CCLY
B. J. C.
Four hun-
dred and
two.

Seventeenth
Consulship

“ the old debts, I have assisted them anew in their necessities; and that,
“ as much as in me lay, the Citizens were always free. Not that I pro-
“ pose my conduct as a rule for others; I will always contend for the
“ authority of the laws in favour of those who have recourse to them. I
“ am even convinced, that, with regard to certain debtors who spend their
“ lives in idleness and debauchery, it is as reasonable to make them pay,
“ as it is noble and generous to forgive poor Citizens who are peaceable
“ and laborious, but whose misfortunes have reduced them to extrem
“ want: such has been my conduct, and such are the *imperious maxims*
“ with which I am charged. But, it seems, I have declared myself a fa-
“ vourer of the great, and it is by my counsels that they have possessed
“ themselves of the Government.—This crime, (*turning toward the chief*
“ *of the Senate*) I am guilty of in common with you. The Government
“ belongs to you, and you are too wise to yield it up to an unbridled rab-
“ ble, to that furious beast which hearkens only to its flatterers, its slaves;
“ slaves that often become its Tyrants: And this is what we ought to ap-
“ prehend from *M. Valerius*; who, tho’ all the credit he has in the Re-
“ publick be owing to the dignities with which we have honoured him,
“ makes use of it now to ruin our laws, change the form of our govern-
“ ment, and by his mean condescensions, pave himself a way to the ty-
“ ranny. You have heard his own words, and must have observed, that,
“ being better informed than we of the pernicious designs of the rebels,
“ he gives us notice to prepare for new pretensions: under colour of de-
“ manding security for the liberty of the people, he seeks nothing but to
“ destroy that of the Senate.

“ But to come to the chief point, upon which we meet this day; I
“ say, that it is striking at the very foundation of a State to change its
“ laws; and that it is impossible to annul the contracts between private
“ persons, without violating the publick faith, the bond of society. Will
“ you now grant to a seditious mob, who are ready to turn their arms
“ against their Country, what you have often prudently refused to quiet
“ Citizens, and to brave soldiers? Consider that you can make no con-
“ cession in this article of the debts, without opening a door at the same
“ time to new pretensions. Before it be long, the Leaders of the sedition,
“ in concert with *M. Valerius*, will want to be admitted into the chief
“ dignities of the State. May the tutelar Gods of *Rome* grant, that the
“ Government do not at last fall wholly into the hands of a base populace,
“ that will punish you for your weakness, and banish you yourselves from
“ your Country!

“ Endeavours are used to terrify you with the arms of the Rebels: But
“ have you not their wives and children in hostage? Will they, with open
“ force, attack a City which incloses all that they hold most dear? But
“ I shall grant, that they have no more regard to the ties of Blood, than
“ to the laws of the Government: Have they the Generals, the Provi-
“ sions, the Money necessary to maintain themselves in such an enter-
“ prize? What will become of them during winter, which is now approach-
“ ing,

“ ing, without bread, without shelter, and without daring to straggle for
 “ fear of falling into our hands? If they take refuge among our neigh-
 “ bours, will they not find the Government there, as well as at *Rome*, in
 “ the hands of the great? Can rebels and run-aways expect to be placed
 “ in any other condition, than that of wretched slaves? Perhaps it is fear-
 “ ed, that our neighbours and they will join their forces and besiege *Rome*;
 “ and that the City will not have a sufficient number of inhabitants for its
 “ defence; as if the strength of the Republick lay wholly in the rebels.
 “ But have you not amongst the *Patricians* a flourishing youth, and full
 “ of courage? Our clients, who are the soundest part of the *Plebeian*
 “ body, are they not, like us, immoveably faithful to the interest of the
 “ commonwealth? It appeared by the last numbering of the people,
 “ that we had no less than 130000 men fit to bear arms; there is scarce
 “ the seventh part of these among the mal-contents. But, if occasion
 “ be, let us arm our slaves, let us make of them a new people; these
 “ we shall find obedient. In our service, and from our example, they have
 “ learnt the discipline of war. How courageously will they fight, if liberty
 “ is to be the reward of their valour? If all these helps do not seem suf-
 “ ficient, recal your colonies. Nay, rather than submit to receive law
 “ from the rebels, grant the *Latines* the rights of Citizens of *Rome*, which
 “ they have so long sued for: You will then see them immediately run to
 “ your assistance; and you will want neither soldiers nor Citizens. To
 “ reduce my opinion to a few words, I think we ought not to send De-
 “ puties to the rebels, nor do any thing that can shew the least fear or un-
 “ easiness. If they return to their duty, we ought to use them gently; but,
 “ if they persist in their revolt, fall upon them sword in hand.”

This advice was approved, tho’ for different reasons, by the faction of the rich, and by all the young Senators. On the other hand, the two Consuls, favourers of the people, and the old men, naturally timorous, maintained, that Civil War was the greatest calamity that could befall a State. The same was urged, by such of the Senate as regarded only the preservation of the publick liberty, and who doubted whether some ambitious and enterprizing man might not arise even out of the body of the Senate, and by the help of these divisions make himself sole master of the Government. But scarce were they so much as heard; the place was filled with clamour and threatenings. The youngest Senators, insolent upon account of their birth, and jealous of the prerogatives of their rank, went even so far as to intimate to the Consuls, that they suspected them. They put those magistrates in mind, that being in the place of the Kings, it was their duty to maintain, against the invasions of the people, not only the regal authority, but that of the Senate; and the more violent declared, that if the least insult were offered to the latter, they would take arms to preserve to their order an authority which they had received from their ancestors.

The Consuls, having conferred together, determined to give these warm spirits time to cool; and for that purpose to put off the decision of this great

Year of
R O M E
CCLX.
Bef. J. C.
Four hun-
dred nine-
ty-two.
Seventeenth
Consulship.

D. Hal. p
391.

Year of
R O M E
CCLX.
Bef. J. C.
Four hun-
dred nine-
ty-two.

Seventeenth
Consulship.
* D. Hal.

P. 39²

great affair to another day: But, before the Assembly broke up, in order to intimidate the young Senators *, who had talked in so audacious a manner, they threatened them, that unless they behaved themselves for the future with more modesty in so venerable an assembly, means would be found to exclude them wholly from it by affixing † the age necessary for a Senator. As this had not yet been settled, the young men, more afraid of losing their dignity than their point, truckled to the menaces and power of the Consuls, who at the same time made use of another artifice against the older Senators who opposed the abolition of the debts. They told them, they could no longer bear this division in the Senate; and that, if the *Fathers* did not enter into more unanimous measures, they would carry the affair before the People, to whom, as it related to war, they could not without injustice refuse the cognizance of it, according to what had been practised even under the Government of the Kings.

P. 393¹

Those of the Senators, who had embraced *Appius's* opinion with most warmth, plainly saw by the turn which the Consuls gave to this affair, that it would slip from them, if they persisted in their first sentiments. The fear of falling into the people's hands staggered them; and the tears and cries of the women and children who embraced their knees, and begged of them their fathers and husbands, gained them over entirely; so that, the Senate being convened again, they declared for coming to an agreement with the mal-contents, *Appius* remained almost alone in his opposition. Addressing himself to the two Consuls, he said, "I find, it will be to no purpose for me to offer any thing further upon this matter; you seem resolved to treat with the rebels upon their own conditions; however, you will give me leave to declare once more, that this shall never be with my consent. I repeat it, that I think we cannot indeed have too much regard to the miseries of those debtors who have continued faithful and obedient to the government; but I affirm, that all manner of negotiation with rebels is dangerous, so long as they continue in arms."

P. 394¹

As the *Fathers* had already taken their resolution, they gave no longer any heed to the opposition of this inflexible Senator; but named ten Commissioners to treat with the mal-contents; and chose them out of those of their own body who had always declared in favour of the people. At the head of this deputation were *T. Lortius*, *Menenius Agrippa*, and *M. Valerius*, all three in great esteem, and of whom two had governed

* That there was a certain age, in after times required, is plain from the frequent use of *Ætas Senatoria* in Authors. *Dio Cassius* positively limits it to five and twenty, which was the soonest time any one could have discharged the Quæstorship, the first office of any considerable note: Yet we meet with very many persons promoted to this order without any consideration had to their years, as it usually happened in all other honours whatever. *Ken. Antiq.* p. 102.

† *Pompey* established among the *Bithynians*, a law by which no one could become a Member of their Senate till he was thirty complete. It is probable that he followed the custom of the Roman Republic in this regulation; and the more so, because *Pliny the younger* tells us, in one of his letters to the Emperor *Trajan*, that the *Bithynians* made the *Romans* their pattern, especially in what related to their Magistracy and Senate. C. & R.

the

the Republick, in quality of Dictators : They set forward with their Collegues towards the camp. This great news got thither before them ; and the foldiers ran out in crowds to receive them.

§. III. AMONG the *Seceders* was a certain *Plebeian*, named *Lucius Junius*, and who, out of a ridiculous vanity, had assumed the surname of *Brutus*, that he might have the greater resemblance to the illustrious deliverer of his country from the *Tarquins*. Notwithstanding this affectation, for which many of his companions laughed at him, he was a man of singular penetration and foresight, and wanted not the talents of speaking readily and to the purpose. He advised *Sicinnius*, the Leader of the mutineers, to cross the negotiation at first, and to start new objections against a re union, in order to find out what advantage they might get from it, and at what price the other party would purchase it. “ The Senate, said he, betray their fear : We are masters, if we know how to improve this opportunity : Let those grave Senators deliver their errand : I undertake to answer them in the name of our companions ; and I hope to do it in a manner that will not be unserviceable to the common cause.”

These two heads of the Secession having agreed upon the different parts they were to act, *Sicinnius* introduced the Deputies into the camp, who, when they had placed themselves where they could be heard by the multitude, which flocked about them, were told, that they might give an account of their commission. *Manius Valerius* then said, That he brought them joyful news ; that the Senate had not only decreed an *amnesty* of all their past faults, but had impowered him and his Collegues to grant them all the favours that were compatible with the honour of the *Patrician* body ; and that there was nothing now to hinder them from returning to the city. To this he added some pressing exhortations to the *Seceders*, not to neglect the present favourable opportunity, which the Senate's great condescension and goodness gave them, of putting a happy period to all their discontents.

When *Valerius* had ended, *Sicinnius* observed to the audience, That, in affairs of importance, prudent men never came to a determination, upon hearing only what could be said on one side of a question : And he declared, That whoever was willing to answer *Valerius*, might speak his objections without shame or fear, or reserve ; the necessity of the case not admitting of ceremony or human respects. Nevertheless a profound silence reigned in the assembly ; the soldiers stood looking at one another, each expecting that some other would make himself advocate for the common cause. Then *Brutus*, pursuant to his agreement with *Sicinnius*, stepped forward, and, addressing himself to his comrades, said : “ From this deep silence, fellow-soldiers, one would imagine, you are still awed by that servile fear in which the *Patricians* and your creditors kept you so long. Every man consults the eyes of the rest to discover, whether there be more resolution in others than he finds in himself ; and not one of you has the courage to speak, in publick, that which is the con-

Year of
R O M E
CCLX.
Bef. J. C.
Four hun-
dred nine-
ty-two.

Seventeenth
Consulship.

D. Hal. B.
6. P. 395.

p. 369, &
seq.

Year of
R O M E
CCLX.
Bef. J. C.
Four hun-
dred nine-
ty-two.

Seventeenth
Consulship.

stant subject of your private conversations. Know you not that you are free? This camp, these arms, have they not convinced you, that you are no longer under your Tyrants? Or, if any doubt remained, this step which the Senate has now taken, is not this sufficient to satisfy you? Those *Patricians*, so haughty and imperious, now send to court us; they no longer make use either of proud commands, or of cruel threats; they invite us as their fellow-citizens to return into our common city; nay some of our Sovereigns, you see, are so gracious as to come to our very camp, to offer us a general pardon. Whence then can proceed this obstinate silence, after such singular condescensions? If you doubt the sincerity of their promises; if you fear, that, under the veil of a few fine words, they conceal your former chains, why do you not speak?—All silent?—Hear then a *Roman*, who has the courage to declare his thoughts freely to these ambassadors, and to dissemble nothing.”

Then turning to *Valerius*, “ You invite us to go back to *Rome*; but you do not tell us upon what terms we are to be there: Can *Plebeians* poor, tho’ free, think of being united with *Patricians* so rich, and so ambitious? And, should we agree to the conditions you have to offer, what security will the *Patricians* give us for the performance? Those haughty *Patricians*, who make it a merit among themselves to have deceived the people? You talk to us of nothing but condescension and forgiveness, as if we were your subjects, and subjects in rebellion; but that is the point to be discussed. Is it the People or the Senate who are in fault? Which of the two orders was it, that first violated those laws of society, which ought to reign among the members of one and the same Republick? This is the question.

“ In order to judge of this without prejudice, give me leave barely to relate a certain number of facts, for the truth of which I will appeal to no other but yourself and your Collegues.

“ Our government was originally monarchick; we had seven Kings in succession; and none of them ever did the people the least wrong. *Tarquin* himself, the last of those princes, *Tarquin*, so odious to the Senate and the Nobility, favour’d our interests as much as he oppos’d yours. He loved the soldiers, he had an esteem for valour, he was always for rewarding it; and every body knows, that having found immense riches in *Sueffa*, a town of the *Volsi*, which he had taken, he chose rather to leave the booty to his army, than to appropriate it to himself; so that beside the slaves, the horses, the corn, and the household-stuff, there remained over and above to each soldier five *Minae* of silver.

“ Nevertheless, to revenge your wrongs, we drove that Prince from *Rome*; nor were all his repeated solicitations, and rich offers sufficient to move us, to forsake your interests and return to his obedience. We afterwards cut to pieces the armies of *Vei*, and *Tarquinius*, which en-

“ deavoured to restore him to the throne. The formidable power of
 “ *Porfena*, the famine we underwent during a long siege, the fierce as-
 “ faults, the continual battles.—Were all these, or, in short, was any
 “ thing capable of shaking the faith which we had given you? Thirty
 “ *Latine* Cities united to restore the banished King. What would you
 “ have done, if we had then abandoned you, and joined your enemies?
 “ We might have had any rewards from *Tarquin*, while the Senate and
 “ Nobles would have been the victims of his resentment. Who disper-
 “ sed that dangerous combination? To whom are you obliged for the
 “ defeat of the *Latines*? Is it not to this people? To them you owe
 “ that very power which you have since turned against them. What
 “ recompence have we had for the assistance we gave you? Is the con-
 “ dition of the *Roman* people one jot the better? Have you associated
 “ them in your offices and dignities? Have our poor Citizens found so
 “ much as the smallest relief in their necessities? No, our bravest sol-
 “ diers, oppressed with the weight of usury, have been groaning in the
 “ chains of their merciless creditors. All those fine promises of abolish-
 “ ing in time of peace the debts which the extortions of the great had
 “ forced us to contract, What is become of them? Scarce was the war
 “ finished, but you forgot both our services, and your oaths. With
 “ what design then do you come hither? Is it to seduce this people by
 “ the enchantment of words? The most solemn *oaths* have not strength
 “ enough to bind your faith. And after all, what would you get by a
 “ union effected by artifice, never free from mutual distrust, and which
 “ must end at last in a Civil War? Let us on both sides avoid such hea-
 “ vy misfortunes; send to us our wives and children; suffer us to depart
 “ from *this land of our nativity*, where we are loaded with chains like so
 “ many slaves; or, at best, are only farmers of our own inheritances,
 “ and constrained to cultivate them for the profit of Tyrants. So long
 “ as we have our swords in our hands, we shall be able to open ourselves
 “ a way into more fortunate climates; and where-ever the Gods shall
 “ grant us to live in LIBERTY, there we shall find OUR COUNTRY.”

This bold discourse renewed in the assembly the melancholy remem-
 brance of all those miseries whereof the people had so frequently com-
 plained; every man was eager to quote examples of the rigour of the *Pa-*
tricians; some had lost their inheritances; others had suffered in the pri-
 sons of their creditors; several shewed the marks of the stripes they had
 received; and there was not one who, beside the general cause, had not a
 particular injury to revenge.

The venerable *T. Lartius*, undertaking to answer *Brutus*, began with the
 article of the debts. He said, that to hinder men, who had fairly lent their
 money, from exacting the payment of it, had been a thing impracticable;
 and that it was without example in any well regulated State, that the Ma-
 gistrate should refuse the aid of the laws to those who demanded it, so long
 as those laws and customs served for a rule in the Government. That

Year of
R O M E
CCLX.
Bet. J. C.
Four hun-
dred nine
ty-two.
Seventeenth
Consulship.

Year of
ROME
CCLX.

Bef J. C.
Four hun-
dred nine-
ty-two.

Seventeenth
Consulship.

nevertheless, as the creditors had doubtless been cruel to their debtors, the Senate was willing to look into the necessities of the people, and to provide a remedy for them by new regulations; but that it became the Senate's justice at the same time to distinguish men, who, tho' not fortunate, had been ever sober and industrious, from such as were fallen into poverty, only thro' their own sloth and intemperance: that it was highly unjust in the *Plebeians* to extort by force of arms, an abolition of the debts, when they might obtain it by fair means; and to complain of the Senate as refusing what they demanded, when they ought only to complain of those who threw obstacles in the way of the Senate's good intentions.

Lartius, continuing his discourse, was beginning to say something of the rashness of their enterprize, when *Sicinnius*, provoked at what he had thrown out against him and *Brutus*, and addressing himself to his companions: "You now see, by the haughty speech of this *Patrician*, what you are to expect from his negotiation, and what treatment is preparing for you at *Rome*, if the Senate can once draw you into their power:" And then, turning immediately to the Deputies: "Propose directly the conditions you are impowered to offer us; or this instant leave our camp, where we are not disposed to bear with you any longer."

§. IV. THESE words were highly applauded by the multitude. But then *Menenius*, in the midst of their acclamations, made a sign to them, that he had something to say. His known character of integrity, and of being a friend to the people, easily gained him attention. Silence being made, he told them, that the Commissioners were not come to the camp, only to justify to them the Senate's conduct, but also to inform them of what the Senate had resolved in their favour. That the *Fathers*, studious of the publick good, had carefully enquired into the causes of the unhappy divisions, and had found, that the severity of the creditors to their debtors was the true source of them. That, in order to remedy these evils, they had determined a remission of all debts due from insolvents; liberty to all debtors, whether actually in arrest, or in danger of being so, in consequence of any sentence given against them: And that as to debts which might be contracted hereafter, a new regulation should be made by the People and the Senate in concert, and should become an established law: And that all the Commissioners in the Assembly engaged their lives to the people, and devoted themselves and their children to the infernal Gods, if they failed in their promise.

This prudent Senator finding the minds of the people softened by the promise he had made them, and desiring to extinguish, as much as possible, their jealousy and hatred of the Senate, by convincing them, that subordination in the State was necessary, and that the higher orders of men were as useful to the lower, as the lower to the higher. He, to make this truth the more palpable to them, employed the famous apologue of a conspiracy of all the members of the human body against the stomach, under pretence, that this alone, without working, enjoyed the fruit of all their labours. Having applied

it

D. Hal. p.
405, & seq.

Liv. B. i.
c. 32.

Plut. in
Coriol.

it to the people and the Senate, he desired them to consider, that this august body, like the stomach, convey'd into the several members joined to it the same nourishment that it received itself, but much better prepared; and that to it alone they owed their life and strength. He added, "Cease then, *Romans*, unjustly to accuse the Senate of having driven you from your Country, and reduced you to the condition of indigent vagabonds. The *Fathers* have never indeed done you any injury, nor have they any disposition to hurt you: Far otherwise; they call to you, they intreat you to return; they have opened to you the gates of *Rome*, and with open arms are ready to receive you."

Year of
R O M E
CCLIX.
Bef. J. C.
Four hundred ninety-two.

Seventeenth
Consulship.
D. Hal. p
407, 408.

While *Menenius* was speaking, it was visible that his words made a considerable impression on the *Seceders*; but when, in the close of his discourse, he fell to a pathetick bewailing the calamities of his Country, the impending miseries that threatened *all* his fellow-citizens, as well those *within* the city, as those *without*,—the whole multitude broke into tears; and they all cried out to him, as with one voice, to lead them back, without delay, to *Rome*. The artful *Brutus*, however, put a stop to this sudden motion. He told the people, that in truth they ought to be very thankful for the favour shew'd them at present, in the abolition of the debts; but that he could not forbear letting them know, he was very anxious about the future, much fearing, that the Senate would one day revenge themselves for the just concessions they had been forced to make, unless means were found to secure the rights and liberties of the People against the enterprizes of so ambitious a body.

"What better security, said *Menenius*, can you ask, than what our laws and the constitution of the Republick already afford?" Grant us, answered *Brutus*, "the privilege of creating annually, out of the body of the *Plebeians*, some magistrates, who shall have no other power but that of succouring the *Plebeians*, when injustice or violence is done to them, and of defending their rights both publick and private. We desire, we earnestly intreat you not to refuse us this request; but generously to add this to the other favours which, of your own motion, you have already granted us. If you came hither with a sincere intention of peace, you cannot reject so equitable a proposal."

The people highly applauded this answer. On the other hand the Deputies, extremely surprized at the new demand, made by *Brutus*, retired a little apart from the assembly to confer together; but soon returned. *Menenius* then said, That though he and his colleagues had full powers to treat, they did not think it would become them to make use of those powers in the present instance: That the thing asked was very extraordinary, and what, he feared, might one day prove a source of much dissension: That, nevertheless, the deputies would not oppose the people's request, and did not doubt but the *Fathers* would comply with it: That he himself with one part of his colleagues would stay in the camp, while *Valerius*, with the other, would go and report the matter to the

Year of the Senate; whose answer they would doubtless bring in a very short time.

ROME
CCLX.

Bef. J. C.

Four hundred ninety-two.

Seventeenth
Consulship.

D. Hal. p.
410.

These Commissioners repaired with all expedition to Rome, and laid before the Senate the new pretension of the *Seceders*. *Valerius* made himself their advocate. *Appius* heard him with indignation. He called the Gods to witness the innumerable mischiefs, which he pretended to foresee from such an innovation in the Government. But the angry Senator could not prevail; the majority being inclined to peace, a *Senatus-Consultum* was passed to permit the creation of new Magistrates, who were to be called TRIBUNES OF THE PEOPLE.

This Decree (which included also the abolition of the debts) the Deputies carried to the camp as the seal of peace. The *Seceders* (in pursuance of advice given them by *Menenius*) sent *L. Junius Brutus* with *M. Decius* and *Spurius Icilius* to finish, in form, the accommodation with the Senate; which was accordingly done by the ministry of the *Feciales*. *Brutus* and his Collegues returned the next day to the camp: And then was held an assembly by *Curia*; where they chose, for the first *Tribunes of the People*, (according to *Dionysius*) *L. Junius Brutus*, and *C. Sicinnius Bellutus*, the Leaders in the Secession, with whom they joined *C. and P. Licinius*, and *Sp. Icilius Ruga* in the same dignity.

* The election over, the Deputies imagined that all business was finished. But *Brutus* not yet content, having convened the people, advised them, to make a Law, (before they left the camp) declaring the persons of their TRIBUNES sacred. The motion was universally approved: He and his Collegues drew up the Law in writing, and the Assembly pass'd it. By this Law, whoever offered the least violence to a *Tribune*, was declared accursed; and his effects confiscated to the Goddess *Ceres*: He might with impunity be slain without any previous form of process. And all the *Romans* were to engage themselves by oath, and under the most dreadful imprecations, in their own name, and in that of their posterity, never to repeal this law, The people, after these regulations, erected an altar to *Jupiter the Terrible*, upon the top of the hill where their camp stood; and when they had offered sacrifices to the God, and consecrated the place of their retreat, they returned to Rome led by their TRIBUNES and the Deputies of the Senate.

p. 411.

* The Tribunes were elected the 10th of December, which continued ever after to be the day when these Magistrates entered on their office. *Livy* says, that *C. Licinius* and *Lucius Albinus* were the first Tribunes, and that they chose themselves three Collegues, among whom *Sicinnius Bellutus* was one, and the same Historian adds, that, according to some Authors, there were but two Tribunes created upon the *Mons Sacer*.

C H A 'P. VIII.

§. I. *The TRIBUNES OF THE PEOPLE obtain of the Senate, that two Officers be annually elected (out of the Plebeians) to be their Ministers and Assistants; who are afterwards called ÆDILES. §. II. The war is renewed against the Volsci. Caius Marcius Coriolanus signalizes his courage in this war. §. III. A famine at Rome revives the civil dissensions. The Senate send away great numbers of the people to plant two Colonies. §. IV. The Tribunes give out, that the dearth of provisions, is owing to the malice of the Senate. The Consuls convene the People to undeceive them. The Tribunes dispute with the Consuls for the right of speaking in the assembly. The contrivance of Brutus to engage the People to make A LAW, Tribuno rogante. The Senate will not admit this Law to be valid. The Tribunes refuse the Senate levies regularly made to act against the Antiates. Coriolanus at the head of some Volunteers ravages the enemy's territory, sharing all the spoil among his soldiers.*

§. I. **R**OME, by the establishment of the Tribuneship, made a great advance towards a new change in the form of her Government. It had passed before, as we have already seen, from the Monarchick State, to a kind of Aristocracy; for upon the expulsion of *Tarquin*, the whole authority did really and in fact devolve upon the Senate and the Great: But, now, by the creation of the Tribunes, a Democracy began to take place; and the people by insensible degrees, and under different pretences, got possession of the much greater share in the Government.

Year of
R O M E
GCLX.
Ref. J. C.
Four hundred
nine-
ty-two.
Seventeenth
Consulship.

The Senate indeed had no reason at first to apprehend so fatal a mischief to their authority from the Tribunes. These officers, at their original institution, had neither the quality of Senators, nor a particular tribunal, nor any jurisdiction over their fellow-citizens; they could not properly be called Magistrates. Habited like mere private men, and attended by only one servant, called *Viator*, who was little different from a footman, they sat upon a bench without the Senate, and were never admitted into it but when the Consuls called them in to ask their opinion upon some affair that concerned the interests of the *Plebeians*. Their sole functions were to defend the *Plebeians*; to interpose in all grievances and impositions offered them by their superiors. This *interposing* in matters decreed, or going to be decreed by the Senate, or the Magistrates, was called *Intercessio*, and was performed by pronouncing only one word, *VETO*, (*I forbid it.*) But this power was confined within the walls of *Rome*; or extended at most to a mile round it. And that the people might always have protectors at hand, the Tribunes were not allowed to be absent from the city any one whole day, except in the *Feria Latina*. For the same

Liv. B. 3.
c. 20.
D. Hal. B.
8. p. 554.
A. Gell.
L. 3. c. 2.
Macrob.
Sat. L. 1.
reason c. 3.

Year of
R O M E
CCLX.

B. J. C.
Four hun-
dred nine-
ty two.

Seventeenth
Consulship.

D. Hal. B.
6. p. 411,
412.

* Ab. Edi-
tus curan-
dis.

Liv. B. 2.

* 33.
Plut. in
Consol. p.
216, 217.

D. Hal. p.
413.

p. 414.
Plut. p.
218.

D. Hal. p.
415.

reason they were obliged to keep their doors open day and night to receive the complaints of such citizens as should stand in need of their protection.

These officers, immediately after their establishment, obtained permission of the Senate, that two persons, who should be their Substitutes and Assistants in the multitude of their affairs, might be annually chosen out of the *Plebeians*: And such was the origin of the *PLEBEIAN ÆDILES*. They were at first called *Ministers* and *Assistants* of the Tribunes; and, in the beginning, were indeed nothing more than the Tribunes Agents; but they had, in after times, the inspection of the publick edifices, the care of the temples, baths, aqueducts, and the cognizance* of a great many affairs of the like nature, which before belonged to the Consuls: and then they were stiled * *ÆDILES*.

§. II. ALL opposition to the making of regular levies being now at an end, the Consul *Cominius* led an army against the *Volsci*. He defeated them in battle, and took from them *Longula* and *Polusca*; after which he besieged *Corioli*, a city strongly fortified, and which might be called their Capital. He carried this place, and gained a victory over the *Antiates* the same day: but *Caius Marcius*, an eminent *Patrician*, had all the glory of both actions. The troops detached by the Consul to scale the walls of *Corioli* being repulled in their first assault, *Marcus* rallied the runaways, led them on afresh to the charge, drove back the enemy within their walls, and, entering the city with them, made himself master of it. This exploit atchieved, he with all expedition put himself in the foremost ranks of the Consul's main army, that was just going to engage with the *Antiates*, who were come to the relief of the place; and there he behaved himself with equal bravery, and had equal success.

The next day the Consul, having erected his Tribunal before his tent, called the soldiers together. His whole speech to them was little more than a panegyrick upon *Marcus*. He put a crown upon his head, assigned him a tenth part of all the spoil, and, in the name of the Republick, made him a present of a fine horse with stately furniture, giving him leave at the same time to chuse but any ten of the prisoners for himself; and lastly, he allotted him as much money as he could carry away. Of all these offers *Marcus* accepted only the horse and one captive of the ten, an old friend of his family, that he might give him his liberty. So generous and disinterested a conduct left no room for jealousy or envy: and, to add to the glory of the brave warrior, the Consul bestowed on him the surname of *CORIOLANUS*, transferring thereby from himself to *Marcus* all the honour of the conquest of *Corioli*.

Cominius, at his return to *Rome*, disbanded his army; and war was succeeded by works of religion, publick games, and treaties of peace. The *Latines* having of late deserved well of the Republick, a new treaty of peace and alliance was made with them and confirmed by oaths: And in memory of the happy reconciliation between the Senate and People, a third day was at this time added to the *Feriæ Latinæ*,

During

During this festival *Menenius Agrippa* died, and in great poverty like *Pepercula*. His relations thought to bury him privately and without ceremony; but the people being informed of it, they agreed to pay a *Sex-tans*, (or two ounces of brass) *per head*, in order to have magnificent obsequies for him. Upon this the Senate entered into an emulation with the Commons, and would by no means suffer an illustrious *Patrician* to be buried at the expence of the *Plebeians*. They allotted a sum out of the publick treasury for his funeral, and committed the care of it to the *Quæstors*. Nevertheless the People refused to receive back their money, and ordered it to be given to *Menenius's* children, to comfort them in their indigence, and excite them to the pursuit of virtue.

A *Consul* and a *Lextrum* closed the events of this memorable Consulship; there appeared to be in *Rome* at this time no more than 110000 men fit to bear arms, a number by many thousands * less than at the last enrollment.

§. III. UNDER the following administration of *T. Geganus* and *P. Menenius*, *Rome* was terribly afflicted by a famine, occasioned chiefly by the neglect of ploughing and sowing during the late troubles: For the *Secession* had happened after the autumnal equinox, about sowing-time; and the accommodation was not made till just before the winter solstice. The Senate dispatched Agents into *Hetruria*, *Campania*, the country of the *Volsci*, and even into *Sicily*, to buy corn. Those who embarked for *Sicily* met with a tempest which retarded their arrival at *Syracuse*; where they were constrained to pass the winter. At *Cumæ*, the Tyrant *Ariglostomus* seized the money brought by the Commissaries; and they themselves with difficulty saved their lives by flight. The *Volsci*, far from being disposed to succour the *Romans*, would have marched against them, if a sudden and most destructive pestilence had not defeated their purpose. In *Hetruria* alone the *Roman* Commissaries met with success. They sent a considerable quantity of grain from thence to *Rome* in packs: But this was in a short time consumed; and the misery became excessive: The people were reduced to eat any thing they could get; and nature in so great extremity loathed nothing.

During this distress a Deputation came from *Veitruæ* a *Volscian* City, where the *Romans* had formerly planted a colony, representing, that nine parts in ten of its inhabitants had been swept away by a plague, and praying the *Romans* to send a new colony to repopulate it. The *Consul Fathers*, without much hesitation, granted the request: For they considered that *Veitruæ* might be an excellent barrier against those of the *Volsci* who should be disposed to invade the *Roman* territory; and that by discharging *Rome* of a great number of the Citizens, the famine would be lessened. But what more than any thing else determined them to this measure, were the murmurings of the people against the *Patricians*, for not having foreseen and prevented, by timely precautions, the present calamity. Some went so far as to accuse the Nobles of designedly bringing the famine

* Doubtless great numbers had run away to avoid being slaves to their creditors.

Year of
R O M E
CCLX.
Bel. J. C.
Four hundred
ninety-two.
Seventeenth
Consulship.
D. Hal. p.
416.

Year of
R O M E
CCLXI.
Bel. J. C.
Four hundred
ninety-one.
Fifteenth
Consulship.
D. Hal. p.
417.
Bel. J. C.
Four hundred
ninety-one.
D. Hal. p.
418.

Plat. in
Consul. p.
419.

D. Hal. p.
428.

Year of
R O M E
CCLXI.
Bef. J. C.

Four hun-
dred nine-
ty-one.

Eighteenth
Consulship.
D. Hal. p.
428.

upon the *Plebeians*, by way of revenge for the *Secession*. The Senate therefore pressed the departure of the colony, and without delay named three Leaders to conduct it.

The people at first were very well pleased with the proposal, as it gave them a prospect of relief in their hunger: but when they reflected on the terrible havock the plague had made among the old inhabitants of *Velitrae*, they began to fear that the place might be still infected; and this apprehension became so universal, that not one of them would consent to go thither. Nevertheless the Senate at length publishing a decree that all the citizens should draw lots, and that those to whose lot it fell to be of the colony should instantly march for *Velitrae*, or suffer the severest punishments for their disobedience, fear and hunger made the people comply; and the *Fathers*, a few days after, sent away a second colony to *Norba*, a considerable city of *Latium*. But the *Patricians* were disappointed as to the benefit they expected from these measures. The *Plebeians* who remained in *Rome*, being more and more pressed by hunger and want, grew daily more angry with the Senate. At first they assembled in small companies to vent their wrath in abusive complaints; and at length, in one great body, rushed all together into the *Forum*, calling out upon their *TRIBUNES* for succour.

§. IV. THE *Tribunes* made it their business to heighten the general discontent. Having convened the people, *SPURIUS ICILIUS*, chief of the College, inveighed most bitterly against the Senate, and when he had ended his harangue, exhorted others to speak freely their thoughts; particularly, and by name, calling upon *Brutus* and *Sicinnius*, now *Ædiles*. These men, far from attempting to extinguish the fire, added fresh fuel to it. In set speeches, which they had purposely prepared, they insinuated, that the dearth of provisions was wholly owing to the resentment and revenge of the rich *Patricians*, touched to the quick at the liberty the people had recovered by their *Secession*: That having corn hid in their granaries, and money to buy what provisions were brought from foreign countries, (while the *Plebeians* had had neither the one nor the other) they little troubled themselves about the famine: And that the sending away such a numerous colony of *Roman* citizens into an infected air, could be with no very good design*. And the more to inflame the spirits of the multitude, they enumerated all the past insults which the people had suffered from the Nobles. *Brutus* concluded his harangue with loudly threatening, that, if the *Plebeians* would follow his advice, he

* The *Plebeians* and their Leaders were doubtless, in some respects, very unjust towards the Senate, on this occasion: Yet the latter seem blameable for not having taken more early measures to prevent the scarcity of provisions, which the want of a year's crop must naturally occasion. And by the speeches which *Dionysius* and *Livy*

(as we shall see hereafter) put into the mouth of *Coriolanus*, and which are represented as heard with applause by a great part of the Senate, it appears, that there were many in that body, who meant to take advantage of the people's hunger to get the *Tribuneship* abolished.

would soon oblige those men, who had caused the present calamity, to find a remedy for it: After which the assembly was dismissed.

Year of
R O M E
CCLXI.
Ref. J. C.
Four hun-
dred nine-
ty-one.

The next day, the Consuls, greatly alarmed at this commotion, and apprehending, from the menaces of *Brutus*, some very mischievous event, thought it adviseable to convene the Senators, that they might consider of the best means to avert the impending evil. The *Fathers* could not agree in opinion. Some were for employing soft words and fair promises to quiet and gain over the most turbulent. But *Appius's* advice prevailed, which was, That the Consuls should call the people together, assure them that the *Patricians* had not brought upon them the miseries they suffered, and promise, on the part of the Senate, all possible care to provide for their necessities; but, at the same time, should reprove the disturbers of the publick peace, and threaten them with the severest punishments, if they did not amend their behaviour.

Eighteenth
Consulship.
D. Hal. B.
7. C. 15.

When the Consuls, towards the close of the day, having assembled the people, would have signified to them the disposition and intention of the Senate, they were interrupted by the Tribunes. A dispute ensued, in which no order or decency was observed on either side. Several speaking at the same time, and with great vociferation, no one could be well understood by the audience. The Consuls judged, that being the superior Magistrates, their authority extended to all assemblies of the Citizens. On the other side, it was pretended, that the *assemblies of the people* were the province of the Tribunes, as the *Senate* was that of the Consuls. The dispute grew warm, and the hottest, in each party, were just ready to come to blows, when *Brutus* advancing into the midst of the assembly, and addressing himself to the Consuls promised them that he would quiet the tumult, if they would give him leave to speak. The Consuls hearing a *Plebeian* orator ask of *them* permission to speak, instead of asking it of his Tribunes; and imagining from hence, that he yielded the point in dispute, readily consented to his request. Silence being made, *Brutus*, without any preamble, fell at once to interrogating the Consuls: "Don't you remember (said he) that in our treaty of accommodation, this right was granted by you to us, That when the Tribunes should convene the people, on any affair whatever, the *Patricians* should neither be present in the assembly, nor disturb it?—I remember it very well, answered *Geganius*.—Wherefore then (added *Brutus*) do you disturb us now, and hinder our Tribunes from saying what they think fit?—Because (replied *Geganius*) the people are not now assembled by the Tribunes orders, but by ours. If the Tribunes had convoked this assembly, they would have met with no molestation from us, nor would even our curiosity have brought us hither to hear what past. Nor, though we convened the present assembly, do we object to their speaking: But we think it highly unjust that they should hinder us from exercising that Prerogative."

D. Hal. p.
439.

Brutus hereupon cried out, "*Plebeians*, the victory is ours, our adversaries have yielded all we desired. Cease disputing to day; to-morrow I will shew you what is the extent of your power. And, you Tribunes,

Year of
R O M E.
CCLXI.
Ref. J. C.
Four hun-
dred nine-
ty-one.

Eighteenth
Consulship.
D. Hal. p.
437.

“ give place to the Consuls for the present ; you will not do it for ever,
“ when you shall know the prerogatives of your dignity : And these you
“ shall soon learn. I promise you to make the thing clear to demon-
“ stration, and to humble, in some measure, the haughtiness of these
“ *Patricians*. If I deceive you, inflict upon me what punishment you
“ please.”

No body offering to answer *Brutus*, the assembly broke up ; and the
two parties retired with very different thoughts. The indigent *Plebeians*
went home, persuaded that *Brutus* had hit upon some excellent scheme,
and would not be so bold in promising, if he had not the means of per-
forming. On the other hand, the *Patricians* despised him as an idle boaster,
and considered his promises as mere empty air ; knowing very well, that
the only power, granted by the Senate to the Tribunes, was that of suc-
couring the *Plebeians* in case of oppression. Not all the nobles, how-
ever, made so light of the matter. The oldest Senators, especially, ap-
prehended some great and incurable mischief from the fury of that enter-
prising *Plebeian*.

Brutus spent the following night with the Tribunes, imparting to them
his project, and consulting with them on the best measures for its execu-
tion. Escorted by a considerable body of *Plebeians*, they, by break of
day, repaired to the *Forum*, took possession of the temple of *Vulcan*,
(where it was usual for those to place themselves who intended to har-
angue,) and presently gave orders to call the people together. The
Forum was quickly crowded ; never was a greater confluence of the citi-
zens. Then the Tribune *Idilius*, stepping forward, entered into a long
invective against the *Patricians*, summing up all the hardships and op-
pressions which the people had formerly suffered from them. He add-
ed,—“ And no longer ago than yesterday, they even hindered me
“ from *speaking*, thereby depriving me of all power belonging to my
“ office. For what power can we hereafter have to *do* any thing, if the
“ liberty of *speaking* be not allowed us ? How shall we be able to give
“ you any assistance when oppressed by them, if we be *deprived* of the
“ power of calling you together, [and conferring with you ?] For all
“ business is begun by *words* ; and certain it is, that they who have not
“ the privilege to speak what they think, will never be able to execute
“ what they desire. Take back therefore the Authority you have given
“ us, if you will not so confirm it to us, that we may have the *free and*
“ *undisturbed exercise of it* ; or, if you are willing to confirm it, *make a*
“ *Law*, prohibiting all persons from giving us hereafter any molesta-
“ tion.”

This discourse being received with great applause, and the people
crying out to him to propose the Law, he immediately read it aloud to
them, (for he had prepared it the night before) and then, without de-
lay, proceeded to take their suffrages ; the affair requiring the utmost
dispatch, lest the Consuls should come and oppose it. The law was in
terms to this effect : “ When a Tribune is speaking to an *assembly of*
“ *the*

“ the people, let no one contradict or interrupt him. If any one violate
 “ this Law, let him give security to the Tribunes, to pay the fine to
 “ which, after trial, they shall condemn him. If he refuse, he shall be
 “ put to death, and his goods confiscated. If there happen any dispute
 “ concerning the fine, the people shall decide it*.”

You of
 ROME
 CCLXI.
 Bet. J. C.
 Four hun-
 dred nine-
 ty one.

As
 Eighteenth
 Consulship.

* Mr. Vertot and Mr. Rollin seem to have wholly misunderstood this passage of *Dionysius's* History. To conform their Narrations to their own Ideas of his meaning, they have altered the words, which he puts into the mouth of *Brutus*, interrogating the Consuls. They make *Brutus's* Question relate only to the negotiations on foot at the time of the *Seignior*, “ Whether it was not granted to the People, that during these negotiations, the magisters for the People should have liberty to confer with them, without being molested by the Patricians?” And the latter part of *Geganias's* answer, where he says, “ That if the Tribunes had concerned the Assembly then present, he would not have interrupted it, nor have come to bear what passed, they impute to the Consul's hastiness, and his not foreseeing the Consequences; (of which into *Geganias's* *Dionysius* says nothing.) And they suppose that, by the new law, of which *Brutus* was the projector, the Tribunes acquired the power of convening the people, and presiding in the assemblies by them convened, and that this was the great point now gained. * *La nouvelle loi dont il s'agit donne beaucoup plus d'étendue à la fonction des Tribuns que la loi de simple opposition — Cette loi leur donne expressément le pouvoir de convoquer les assemblées du peuple et d'y presider.*

Monf. Rollin, that the law may the better square with his notion, makes it run thus, *In the assemblies of the people, held by the Tribunes, let no one contradict them, &c.* Now the words *held by the Tribunes*, are not in the law; and we may observe, that the pretence for making the law was the Tribunes having been hindered the day before from speaking in an assembly, held by the Consuls. And there is not, in the law, one word of *convening* or *presiding*. And it appears, I think, very plainly, from the concession, made by the Consul *Geganias* to *Brutus*, in their dispute, that the Tribunes, by the treaty of *reunion* on the *Mont Sacer*, were to have the privilege of *convening* the people as often as they pleased, and confer-

ring with them, without being exposed to any molestation from the Patricians. And the Tribune *Julius* speaks of this as a right belonging to them, and of which the Patricians intended to *deprive* them: And what he urges upon the people is, To secure to the Tribunes, by a new law, the *undisturbed exercise* of their undoubted right of speaking to the people assembled. It is probable, that when this right was first granted, there was no penalty laid on those who contradicted or interrupted the Tribunes when speaking to the people; and in this respect therefore the present Law had something new; and it seems likewise to extend the privilege of the Tribunes to all assemblies of the people by whomsoever called. But I should think, that the principal point gained by *Brutus*, on this occasion, was not any thing contained in the new Law, but was rather his engaging the people to assume the power of making laws, *TRIBUNUS ROGANTE* (at the motion of a Tribune.) The people were not accustomed to pass any thing into a law but what was proposed to them by the Senate, or the Patrician Magistrates. *Brutus* had promised, not only to show the Tribunes the prerogatives of their office, but likewise to show the people the extent of their power; and this meaning could not be that he would show them they had a title to powers which nobody disputed. In pursuance of this promise, he persuaded them (as appears by the event) that they had a right to enact laws, without any previous recommendation or approbation of them by the Senate or Consul, and at the sole request of the Tribunes. The Tribunes had hitherto held only *Concilia*, councils, for conferring with the Patricians, but they now turned these *Concilia* into *Comitia*, for making laws. This was a matter of great importance, extremely diminishing the authority of the Senate, and augmenting that of the people and their *Patrician* Magistrates.

It would seem that *Brutus* and the Tribunes raised that quarrel, which they had, the day before, with the Consuls, on purpose

20

Year of
R O M E
CCLXI.

Bef. J. C.
Four hun-
dred nine-
ty-one.

Eighteenth
Consulship.
D. Hal. p.
432.

As soon as the Tribunes had got the law passed, they dismissed the assembly.

This transaction was followed by many disputes and alterations between the Consuls and the Tribunes, on various matters. The Senate would not approve the *Plebisita* of the Commons, nor would the Commons confirm the Decrees of the Senate. Each party kept itself upon its guard against the other. But these mutual jealousies and oppositions produced none of those mischievous effects, which are the usual consequences of civil dissension. The indigent *Plebeians* (pacified probably by the late enlargement of their own authority and that of their Tribunes) did not break open the houses of the rich *Patricians* to search for hidden provisions; nor did they seize by violence what was brought from abroad to the markets; but contentedly purchased very small matters at high prices; and, when their money failed, feeding on roots and herbs, gathered in the fields, bore the famine with patience. Nor did the rich *Patricians*, on the other hand, take advantage of the superior strength they had, by means of their numerous clients and domesticks, to fall upon the poor, enfeebled by hunger, slaying one part of them, and driving the other out of the city; but endured their offences (says *Dionysius*) with that gentleness and benevolence of mind, which prudent and indulgent fathers exercise towards their children.

During this distress of the *Roman* People, several of the neighbouring states invited them to come, as many as pleased, and settle in their territories, where they should be admitted to all the privileges of the natives. These invitations were made by some from good-will and commiseration; by others from jealousy of the former prosperity of the Republick. Many *Roman* Citizens accepted the offer, and

to bring about this design. They rudely interrupted the Consuls when speaking, that they themselves might be interrupted, and so have a pretext for complaining of ill treatment; and might by that complaint engage the people to make a law in favour of their Tribunes, at the motion of their Tribunes. And *Brutus* in this proceeding seems to have had a particular view to the affair of supplying the city with provisions; which was the great business then in hand, what the people were most intent upon, and in which the confident promises of *Brutus* had made the poor citizens hope some notable assistance from him. One of *Brutus's* views, I say, in engaging the people to act independently of the Senate, was, that in case the Senate did not take such measures with regard to provisions, as the necessities of the people required, and the Tribunes approved, the people and their Tribunes might, by their own authority, regulate that matter according to their own desire. And we shall

presently find them threatening the Senate to exercise this authority.

It may be proper to observe, that though the new law, above-mentioned, is here considered as the first *PLEBISCITUM*, or law made by the people, *Tribuno rogante*, yet we have seen, that *Brutus*, as soon as he was created Tribune, acted the *Legislator* in form, when, on the *Mons Sacer*, that law was made, which declared the persons of the Tribunes *Sacrosancti*. He is represented as convening the people, and proposing the law to the assembly. But perhaps, as, at this time, all transactions were irregular, this was not looked upon as a *precedent* which could authorize an imitation of it, when things were settled; and this might be the motive to *Brutus* and the Tribunes to take such precautions for preventing opposition from the Consuls in the affair of the new law; in the very making of which the prerogative of *law-making*, independently of the Senate, was assumed by the people and their Tribunes.

removed from *Rome* with their families; and of these one part never returned, but the rest came back when the Republick had recovered its tranquillity.

Year of
R O M E
CCLXI.
Bef. J. C.
Four hun-
died nine-
ty-one.

The Consuls observing these Migrations, resolved, with the approbation of the Senate, to raise an army, and lead it into the field. Some incursions, which the *Volsci* had made on the *Roman* territories, furnished a fair pretext for this measure. And it was hoped, that the unanimity, which generally reigns among fellow-soldiers in the same camp, would take place of that animosity between the *Patricians* and *Plebeians*, which was not yet extinguished; and, at least, one advantage was sure to follow from the expedition, that the troops, destined for the campaign, would find bread in the enemy's country, and thereby lessen the distress in their own.

Eighteenth
Consulship.

Nevertheless, the people, insensible to all these reasons, and dissuaded by their Tribunes, would not give their names to be inrolled; and the Consuls thought it not adviseable to put the Laws in force, to constrain them. An army of volunteers was formed of *Patricians* only with their clients, strengthened by some few of the *Plebeians*, who joined them just before their marching from *Rome*. These were allured to the service by the perfect confidence they had of success; a confidence founded on the experienced bravery and abilities of *Caius Marcius Coriolanus*, whom they were to have for their commander. The army advanced to the very gates of *Antium*, ravaged all the country about it, and brought from thence slaves, cattle, and corn, in great abundance. *Coriolanus* reserved no part of the booty for himself, but shared it all among the soldiers, who returned to *Rome* loaded with provisions. And then those of the people who had refused to serve, murmured at their Tribunes for having diverted them from following so successful a Leader.

D. Hal. p.
433.
Plut. in
Coriol. p.
219.

C H A P. IX.

§. I. Plenty of corn being brought to *Rome* from *Sicily*, fresh disputes arise in the Senate about the distribution of it. *Coriolanus* is for taking advantage of the people's distress to get the Tribuneship abolished. The younger Senators applaud the motion. §. II. The Tribunes who had been present at this debate go away in a fury, and stir up the people to revenge. They cite *Coriolanus* to appear before them. He refuses. They endeavour to seize him as he comes out of the Senate-house, but are repulsed by those who attend him. The Consuls appease the tumult. §. III. Early the next morning the Tribunes hold an Assembly of the People on this affair. *Minucius* the Consul, by gentle words, disposes the multitude to peace; but *Coriolanus* spoils all by a fresh declaration of the same sentiments which had before offended them. The Tribunes condemn him to death. The *Patricians* oppose the execution of this rash sentence, and the people seem not

not to approve it. The Tribunes therefore resolve to prosecute Coriolanus in a legal way, and to convene the people by Tribes for his trial. The Assembly is adjourned.

Year of
R O M E
CCLXII.
Bel. J. C.
Four hundred and
fifty.
Nineteenth
Consulship.
D. Hal. J.
7. P. 433.

§. I. **I**N the following Consulship of *M. Minucius* and *A. Sempronius*, plenty succeeding to the famine gave birth to new commotions at Rome.

These Magistrates took effectual care to store the publick magazines with provisions, both from the maritime towns of *Italy*, and from the inland countries. About the same time the commissioners, whom the Senate had employed to go into *Sicily*, returned with a great number of ships laden with corn. *Gelo*, Tyrant of *Syracuse*, had made a present of one half of it, and the commissioners had bought the other very cheap with the publick money : The question now arose in the Senate, what price to set upon it; and the Tribunes were called into the Assembly, to give their opinion. Those of the Senators who had no views, but to restore a perfect intelligence between the People and the Senate, were for distributing *gratis*, among the poor, that corn which they owed to the liberality of the publick treasure. But when it came to *Coriolanus's* turn to speak, this Senator, to whom the institution of the Tribuneship was odious, maintained, that such a condescension in the Senate to the People would only encourage them in their insolence; that there was no keeping them to their duty any longer than they were in indigence, and that the time was now come to avenge the majesty of the Senate, violated by a seditious rabble, whose Leaders, by an additional crime, had extorted dignities for themselves, as a reward for their rebellion. It was thus that he declared himself in the very presence of the Tribunes.

But before we proceed to the consequences of this affair, it will be proper to give some further knowledge of a man, who is to act so great a part in this period of our History.

Plat. Life
of Coriol.
P. 214,
215.

Caius Marcus Coriolanus was descended from one of the most illustrious *Patrician* families in Rome: He received the surname of *Coriolanus*, as was before observed, for having taken, sword in hand, *Corioli*, one of the chief towns of the *Volsci*. Having, in his infancy, lost his father, he was educated by his mother, *Veturia*; for whom (as *Plutarch* tells us) he conceived so high a respect, and so tender a regard, that though no man was ever more ardent in the pursuit of glory, yet glory itself, the ultimate end of other men in their noblest actions, was by him coveted chiefly as a means to create delight and satisfaction to his mother. Happily disposed by nature, and virtuously educated, he kept himself master of those passions by which young men are usually enslaved; and so great an abhorrence he had of vice, that to be innocent, or to avoid injustice from the necessity which the laws imposed, or from fear of punishment, he reckoned not as virtue. He was frugal, disinterested, a contemner of riches, patient of hardships and fatigue; and never were these excellent

lent qualities accompanied with a more exalted courage, or a greater capacity for the art of war; he seemed to have been born a General; but he was harsh and imperious in command; as severe to other men as to himself; a generous friend, an implacable enemy; too haughty for a Republick. Though ambitious of the highest dignities, he neglected those arts of management and insinuation so necessary to obtain them in a State founded upon equality and freedom. He had stood for the Consulship at the last elections, and most of the Senators, with a crowd of other *Patricians*, had appeared for him. But this very recommendation of him by the Great proved the hindrance to his promotion. For the Tribunes, who dreaded the extraordinary courage and firmness of *Coriolanus*, represented the earnest solicitations of so many Nobles as a kind of conspiracy against the *Plebeians*, and thereby engaged the latter, tho' they had come to the assembly well disposed in his favour, to refuse him their voices. Of this refusal he conceived the sharpest resentment, as he evidently shewed, on the present occasion. He said in full Senate, "If the people expect to have provisions at a low price, let them restore to the Senate its ancient rights. Why must I behold *Plebeian* Magistrates in Rome? I, who could not endure *Tarquin* upon the throne, shall I suffer a *Sicinnius* to reign? Let him *secede* once more with his *Plebeians*. The way is open to the *Mons Sacer*, and to the other hills. Let them pillage our fields as they did three years ago, and live upon the crops they find there, the rich harvests their madness has occasioned. When tamed by hunger, they will be more disposed (if I mistake not) to cultivate the lands, than, by a new secession in arms, to hinder them from being cultivated."

Year of
R O M E
CCXLII.
Bef. J. C.
Four hundred ninety.

Nineteenth
Consulship.
D. Hal. p.
434.
Plut. in
Coriol. p.
220.

Livy, B. 2.
c. 34.

D. Hal. p.
437.
Plut. in
Coriol. p.
221.

The popular and pacifick men of the Senate extremely disliked this passionate and haughty speech; and declared, that it was more like the ravings of a madman, than the counsel of a wise politician. On the other hand, almost all the young Senators, with the rich and the ambitious of the elder, gave it the highest commendations. The majority of the assembly were for abolishing the Tribuneship, and re-establishing the Government upon its ancient foundations.

§. II. THE Tribunes, who (as was said before) had been called into the Senate, broke out into the extreme passion of rage, when they saw how things went. To loud complaints and reproaches, they added the sharpest invectives against *Coriolanus*, whom they stiled an incendiary, and the pest of the Republick; and they threatened, that if the Senate did not condemn him to death or banishment, they would do it themselves. *Coriolanus*, on the other hand, threatened them, that if they did not cease their insolence, he would find means, more effectual than words, to repress it. Most of the Senate taking part with *Coriolanus*, the Tribunes went out in the greatest fury, invoking the Gods, the revengers of perjury, to witness the solemn oaths by which the Senate had authorized the establishment of the Tribuneship. They assembled the

Year of
R O M E
CCLXII.
Bet. J. C.
Four hun-
dred nine-
ty.

people tumultuously, and cried aloud to them, that the *Patricians* had made a league to destroy them, their wives and children, unless they delivered their Tribunes chained into the hands of *Coriolanus*, a new Tyrant rising up in the Republick; and they sent him a summons to come and answer for his behaviour before the Assembly of the People.

Nineteenth
Consulship.
Liv. B. 2.
c. 35.
D. Hal. p.
438.

Coriolanus, naturally haughty and resolute, having contemptuously sent back their Officer, the Tribunes immediately went with a strong party of the most daring of the *Plebeians*, and waited for him at the door of the Senate, in order to seize him when he should come out. They met him, attended as usual with a crowd of his clients, and a great number of young Senators, who had a respect for his person, and who thought it an honour to follow his opinion in the Senate, and his example in war. The Tribunes no sooner saw him, but they ordered *Brutus* and *Icilius*, who this year performed the office of *Ædiles*, to lay hold of him and lead him to prison. But it was not easy to execute such a commission. The *Patricians*, who thought it a most extravagant enterprize of the Tribunes, to offer violence to a Senator, against whom no process was commenced, resolutely put themselves before him to defend him. They beat back the *Ædiles* with their fists: No other arms were used in those days, in the city, the inhabitants never putting on the sword, but when they marched out against the enemy. The Tribunes, enraged at this resistance, called the people to their aid; the *Patricians* received fresh succours from their own party, and the tumult increased. But the Consuls at length arrived, and, more by intreaties than authority, prevailed upon both parties to retire.

§. III. BUT the Tribunes did not stop here; they convened the people early the next morning, inveighed, as usual, against the whole order of the *Patricians*; and then in particular against *Coriolanus*, enumerating his crimes; the words he had spoken in the Senate relating to the corn; his refusal, when summoned, to appear before the people; and his driving away with blows the *Ædiles*, who were sent to arrest him. In conclusion they added, That if the *Patricians* would speak in their own defence, they were at full liberty to do it; and they kept the people together, waiting till the Senate should break up. For the *Fathers* were at the same time deliberating, whether they should justify themselves to the people, or silently let things take their course. The former was at length resolved; and the Consuls, having dismissed the assembly, repaired to the Comitium, to clear the *Patricians* from the charge against them, and to beg the people not to proceed to any harsh resolution against *Coriolanus*.

D. Hal. p.
439, 440.

Minucius the first Consul spoke to the following effect. He first complained in general, and with abundance of moderation, of those who caught at the least pretence to raise new disturbances in the Republick; and then remonstrated to the people, how very unreasonable it was to accuse

the

the Senate and *Patricians* of having caused the dearth, when every body knew it to have been wholly occasioned by the desertion of the people, and their neglecting to cultivate and sow their lands. He told them, that the other calumnies they so often heard, of the Senate's designing to abolish the Tribuneship, and to make the whole *Roman* People perish by famine, were no less extravagant and monstrous. That to put a stop at once to reports so false and injurious, he declared to them, that the Senate did again confirm the power of the Tribunes; and that as to the corn, they left it entirely to the People to fix what price upon it they themselves thought fit.

Year of
R O M E
CCLXII.
Bef. J. C.
Four hun-
dred nine-
ty.

Nineteenth
Consulship.

The Consul, after a preamble so well adapted to soften the minds, and gain the good-will of the People, added, by way of a mild reproach, that he could not help blaming them for the precipitation with which they suffered themselves to be carried away by the first reports spread abroad by some particular incendiaries. That it was a strange thing to hear the Senate accused as criminal in relation to a matter wherein it had neither done, nor determined any thing, and only because in the debates about it, the members had delivered different opinions. "Remember, *said he*, that "at the time of your secession on the *Mons Sacer*, all your intreaties, "and even your utmost wishes at first were only to obtain the abolition "of the debts. Scarce had you received so great a favour, but you made "yourselves a kind of new right, founded on the easiness of the Senate, "to demand the creation of two *Plebeian* Magistrates, whose whole au- "thority, according to your own proposal, was to be confined to the "hindering a *Patrician* from oppressing a *Plebeian*: a new grant, for "which you returned us the greatest thanks, and which seemed to give "you full content. In those times of trouble, even when the sedition "was at the highest, you never thought of requiring a diminution of "the Senate's authority, or an alteration in the form of our Govern- "ment. By what right then do your Tribunes now pretend to carry "their inspection, and give their censure upon what passes in our delibe- "rations? When till now was a Senator ever treated as a criminal, for "having spoke his mind freely in the Senate? What laws give you au- "thority to demand his banishment or his death? Let us suppose, since "you will have it so, that *Coriolanus* has let slip some words too harsh in "delivering his opinion, and that he is accountable to you for this; are "you not obliged in equity to forget a few random words that were "lost in air, for the sake of his real services, of which you yourselves "have reaped all the fruit? Preserve the life of so excellent a Citizen, "preserve to your Country so great a Captain; and if you will not ac- "quit him as innocent, at least grant him as criminal to the whole Senate, "who intreat this favour of you by my mouth. This will be a bond to "unite us more closely than ever, and will be a new motive to the Senate "to continue their goodness towards you: whereas if you persist in your "resolution of destroying this Senator, perhaps the opposition you

Year of
R O M E
CCLXII.
Bet. J. C.
Four hun-
dred nine-
ty.

Nineteenth
Consulship.
D. Hal. p.
442.
P. 443.

" may meet with from the *Patricians* may produce calamities that will
" make you repent of having pushed your resentment too far."

This discourse made an impression upon the multitude, and brought
them to an inclination for peace and union. *Sicimius* was surprized and
confounded at it, but, dissembling his uneasiness, gave great praises to

Minucius and all the Senators, for having been pleased to condescend so
far as to account to the People for their conduct, and for not having dis-
dained to interpose their prayers and good offices in favour of *Coriolanus*.

Then, turning to that Senator, *he add'd in an ironical tone*, " And you, ex-
cellent Citizen, will you not defend to-day before the People that advice
" so useful to the publick, and which you so boldly gave in the Senate ?
" Or rather, why have you not recourse to the clemency of the *Roman*
" People ? For I would not advise you to deny a fact, of which there
" are so many witnesses, nor impudently attempt to justify it. *Coriola-*
" *nus*, I suppose, thinks it below him, in person to ask pardon of the
" people, though not below the Consuls and *Patricians* to ask pardon for
" him."

Plut. in
Coriol. p.
222.

The artful Tribune spoke in this manner, because he was persuaded that
Coriolanus, a man of too lofty a spirit to retract what he had said, or to
stoop to supplications, would provoke the People afresh by the haughti-
ness of his answers. Nor was he deceived in his hopes ; for *Coriolanus*
was so far from owning himself guilty, or endeavouring to pacify the
people, as *Minucius* had done, that he quite destroyed the effect of that
Consul's speech, by an ill-timed resoluteness, and by the harshness of his
expressions. He inveighed more violently than ever against the Tribunes,
and declared boldly that the People had no right to judge a Senator : that,
if any man was offended at what he had said in the Senate, he might sum-
mon him before the Consuls, whom he acknowledged for his legal judges,
and before whom he should be always ready to give an account of his con-
duct. That if he now appeared before an *Assembly of Plebeians*, on their
citation, it was not to submit himself to their judgment, but to reproach
them for their wicked behaviour at the time of the *Secession*, and ever since ;
and to exhort them to amend their manners.

D. Hal. p.
444.

The young Senators, charmed with his intrepidity, and overjoyed to
have a man who durst speak openly what they all thought, cried out, that
he had advanced nothing but what was conformable to the laws : but the
People, who saw themselves despised, resolved to make him feel their
power. Some were even for killing him instantly ; and the Tribunes
gave the reins to this fury. *Sicimius*, without collecting the voices of
the Assembly, pronounced sentence of death against him, declaring that
it was the sentence of the whole College of Tribunes, as a punishment
for his insult upon them the day before, in the persons of their *Ædiles* ;
and he ordered him to be thrown down from the top of the *Tarpeian*
rock. The *Ædiles* immediately drew near to lay hold of him ; but then
all the *Patricians* in the Assembly running to his assistance, they placed
him in the midst of them, resolutely determined to oppose force with
force.

Plut. p.
222.

force. The tumult rose to a great height, and the two parties, from mutual reproaches, came even to blows. At length the Consuls throwing themselves into the crowd, and ordering their Lictors to disperse it, the tumult and scuffle presently ceased; so great a reverence, says *Dionysius*, had the multitude in those days for that royal authority which resided in the Consuls.

Year of
R O M E
CCLXII.
Bef. J. C.
Four hundred
dred ninety.

While *Sicinnius*, much disconcerted at this event, and yet very unwilling to quit his enterprize, was considering what new step to take, *Brutus*, that able counsellor, ever fruitful in expedients, taking him aside, represented to him, That he must never think of destroying *Coriolanus* so long as he was guarded by the whole body of the Nobility; that even the People had begun to murmur at his pretending to be both Judge and Party at the same time; that the multitude, who turn in an instant from the most violent fury to sentiments of compassion, looked upon the sentence of death as too rigorous; that in the present disposition of mens minds he would not succeed by ways of violence; and that the most reasonable and unexceptionable method was, to cite *Coriolanus* to appear in judgment before the people; and he advised him by all means to have their suffrages taken by *Tribes*, where the great and the rich would be mingled with the poor, and every man's voice would be of equal value; whereas in an Assembly by *Centuries*, the rich *Patricians* might carry their point against a majority of the Citizens.

Nineteenth
Consulship.
D. Hal. p.
445.

Sicinnius seeing no better way to extricate himself out of his perplexity, resolved to follow his friend's advice. Addressing himself to the people, "You see, *Romans*, that no thanks are due to the *Patricians*, if much blood is not shed this day, and that they are ready to come to the greatest extremities to rescue the declared enemy of the *Roman* People out of the hands of justice. Let us set them an example of more moderation. Some, to screen the delinquent, have cited the law which forbids the putting any man to death, before a formal trial and condemnation. Let us admit this plea, though they act not legally towards us. Return home now, and wait a more favourable opportunity to do yourselves right. You will not wait long. As for us, when we have regulated some affairs more pressing, we shall appoint a day for *Marcus* to appear before you. In the mean time, as to what regards the price and distribution of the corn, if the Senate do not take proper care of that matter, the *Tribunes* will give directions about it themselves." Having thus spoken, he dismissed the Assembly.

C H A P. X.

- §. I. The Consuls endeavour by remonstrances to allay the heat of the *Tribunes*, and bring them to conform to the ancient usages, which did not allow the People to take cognizance of any affair till it was referred to them by a decree of the Senate. The *Tribunes* consent to observe this rule, and desire they may be heard by the Fathers in relation to their charge against *Coriolanus*.

Coriolanus. §. II. *The Tribune Decius makes a long speech in the Senate, weighing bitterly against the accused, and contending for the People's right to judge him.* §. III. *Appius Claudius in very strong terms opposes this pretension.* §. IV. *But Valerius in terms no less strong urges the expediency of the Senate's compliance. He exhorts Coriolanus in the most pathetic manner to submit himself to the People's judgment; and he adds a discourse in behalf of a balance of power between the Patricians and Plebeians.* §. V. *It is carried by a majority of votes that Coriolanus shall be tried by the People. Coriolanus having assurances given him, that the accusers charge shall be confined to the single crime of Tyranny, consents to the drawing up of the decree. A day for the trial is appointed.*

Yew of
FOME
COLXII.
Pet. J. C.
Roma ham-
died nmc.
IX.

Nineteenth
Consulship.
D. Hal. B.
p. 445.
p. 446.

§. I. **T**HE CONSULS having, soon after, assembled the Senate, to deliberate on means for appeasing the present troubles, it was resolved, that they should endeavour to soothe the *Plebeians*, by selling the corn to them at the lowest price it had ever been at before the secession; and likewise to engage the Tribunes, for the Senate's sake, either to drop the prosecution against *Coriolanus* entirely, or at least to defer it for a considerable time, during which, the passions of the people might happily subside. The decree about the corn, when published, was universally well received and ratified: But the Tribunes could not be prevailed upon, with regard to the trial, to grant any thing more than the delay requested. A farther delay was occasioned by some acts of hostility committed by the *Antiates* which called the *Romans* into the field. But those enemies readily submitting, the troops in a short time returned home: And as soon as they were disbanded, *Sicinnius* called an assembly of the people, and named to them a day for *Coriolanus's* trial. He invited all the inhabitants of the city to be present at it, and ordered those who dwelt in the country to quit their work, and punctually repair to the Assembly, that they might give their votes in an affair which concerned the liberty and safety of the whole State. And he likewise sent notice to *Coriolanus* to appear there and answer for his conduct; assuring him, that he should have justice done him in all its forms.

p. 447.

Great was the solicitude of the Senate, to put a stop, if possible, to this proceeding. The Consuls, not despairing to overcome the obstinacy of the Tribunes, entered into conference with them upon the affair of the accused. *Minucius* put them in mind, that it was contrary to established custom, to refer any affair to the People, before it had passed the judgment of the Senate: that the Kings themselves had always had this deference for that august body. He exhorted them to conform to the usage of their ancestors, and, if they had any considerable grievances to lay to the charge of *Coriolanus*, to apply themselves to the Senate, who, according to the nature of the crime, and the solidity of the proofs, would refer it by a *Senatus-consultum* to the judgment of the People; who then, and not till then, would have a right to try a Citizen.

Sicinnius clamoured against this proposal, declaring that he would never suffer the authority of the *Roman* People to be restrained and directed by a *Senatus-consultum*. His Collegues, however, were more tractable. By the advice of *Decius*, they consented that the Senate should first make a decree upon the affair; a complaisance, that with regard to the present case, was of little moment, because they had doubtless taken a firm resolution, if the *Senatus-consultum* were not such as they desired, to appeal from it to the Assembly of the People, and for so doing to make the *Lex Valeria* their foundation of right; so that in reality the only question was, whether the affair should be carried before the People in the first or second instance.

Year of
R O M E
CCLXII.
Bel. J. C.
Four hundred
and ninety.
Nineteenth
Consulship,

When the Tribunes consented to let the *Conscript Fathers* decree (as usual) whether the commons should take cognizance of the matter depending, they demanded, in return, that not only they themselves, who by their office were Protectors of the People, might be heard in the Senate, but any citizen, who would support the reasons of the Tribunes, or oppose them; and they farther insisted, that the Senators should be all sworn, as judges used to be, to give their sentence according to truth and equity; and that a decree should be made conformable to the opinion of the plurality. To these conditions the Consuls agreed.

§. II. THE Tribunes were the next day introduced into the Senate. *Decius*, though a young man, was their speaker, an honour yielded to him, doubtless, because of his eloquence, and the readiness with which he expressed himself in publick: "You are not ignorant, *Conscript Fathers*, of what might happen to us, if a certain Collegue of ours, who disapproves our coming hither to ask from you, as a favour, that power, to which by the Laws we have a right, should bring us into judgment before the People for this proceeding: We should doubtless be condemned, as deserters and betrayers of our trust, to the most ignominious punishments. Nevertheless, confiding in the justice of our cause, and the sincerity of your oaths, we have ventured to come. And though we are inconsiderable men, little qualified to speak in a manner suitable to the importance of the subject, yet as the subject is so highly important, we doubt not but this will be sufficient to engage your attention to our words. And if that which we are going to demand, shall appear to you to be just and useful to the Republick, and even necessary to its welfare, we hope that you will readily, and without hesitation, comply with our request.

D. II. p.
448, & c.

"When you, *Conscript Fathers*, having, by our assistance, expelled Kings, and established the present form of government (of which we do not complain) came to remark, that the *Plebeians*, in all controversies which they afterwards had with *Patricians*, were constantly worsted, you, by the advice of *Valerius Poplicola*, made a Law, that any *Plebeian*, who suffered violence and injustice from the *Patricians*, might bring his cause before the People. And nothing contributed

"more,

Year of
R O M E
CCLXII.
Bef. J. C.
Four hun-
dred nine-
ty.

Nineteenth
Consulship.

“ more, than this Law, to the maintaining that union among the citi-
 “ zens, which enabled them to defeat the many attempts of *Tarquin* to
 “ reascend the Throne. It is in virtue of this Law that we, the Tri-
 “ bunes, now cite *Gaius Marcius* before the Tribunal of the People, to
 “ answer for the violence and injuries we have all suffered from him.
 “ And what need can there be of a previous *Senatus-consultum* for this
 “ prosecution? In matters concerning which there are no Laws enacted,
 “ you have a power to make Decrees, which the People, if they please,
 “ may confirm by their suffrages. But in cases provided for by an in-
 “ violable Law, actually subsisting, we may certainly make use of this
 “ Law, without waiting for a previous Decree of consent from you. Will
 “ any one say, that every private citizen has the privilege of appealing
 “ to the People from an unjust sentence, but that we, the Tribunes, have
 “ not the same privilege?

“ With regard to natural rights, the unwritten Laws of Nature, we
 “ think it just, that the *Plebeians* should be upon an equal foot with you.
 “ The honours, dignities, magistracies of the State, we readily yield to
 “ those of your order, who are most eminent for merit and riches. But
 “ not to suffer injuries, and, if any person do them, to bring him to con-
 “ dign punishment, we judge these to be rights common to all the citi-
 “ zens. And, in this respect, we will not suffer the equality between the
 “ two orders to be destroyed. So much for the question of Right.

“ If it be asked, whether the granting what we now demand, will
 “ be for the interest of the Republick, there is surely no man, who
 “ considers, that discord is the greatest evil that can happen to a State,
 “ but must answer in the affirmative. I will suppose that it was against
 “ your inclination, and was neither for the honour, nor the parti-
 “ cular advantage of your order, to make us those concessions, which
 “ we obtained from you on the *Mons Sacer*. Yet as you have made
 “ them, and are bound by the most solemn oaths, never to violate the ar-
 “ ticles of our treaty, what consequences can you expect from your in-
 “ fraction of them, but a new revolt, and a civil war? And what hope
 “ can there be of preserving that domestick peace which was then effect-
 “ ed, if you refuse the People, *assembled by Tribes*, the power of judg-
 “ ing a private citizen, who not only has himself violated our conven-
 “ tion, by insulting the Tribunes in the persons of their officers, but
 “ has had the insolence to exhort you in full Senate, entirely to abolish
 “ the Tribuneship, the strongest bulwark of our liberty, and principal
 “ bond of our reunion? Nor is this the worst of his crimes. You re-
 “ member it well, *Conscript Fathers*, he audaciously told you, that the
 “ fortunate moment was come for revenging yourselves upon the peo-
 “ ple: He would have you keep up the high price of provisions,
 “ that you might thereby force one part of the poor *Plebeians* to fly
 “ their country, and reduce the other, miserably to perish by hunger.
 “ Cruel and unthinking man! did he not consider that this people, whom
 “ he meant to exterminate with so much inhumanity, and who are more

“ numerous

Year of
R O M E
CCLXII.
Bef. J. C.
Four hun-
dred nine-
ty.

Nineteenth
Consulship.

“ numerous and powerful than he could wish, being reduced to despair,
“ would have broken into the houses of the rich, forced open those gra-
“ naries and secret repositories which conceal so much wealth, and either
“ have fallen under the power of the *Patricians*, or effectually rooted out
“ that whole order? Could he imagine that an enraged populace would
“ in such a case have hearkened to any law but what was dictated by
“ necessity and resentment?

“ For, that you may not be ignorant of the truth, we would not have
“ perished by a famine brought upon us by our enemies; but, having
“ first invoked the Gods, Revengers of injustice, filled *Rome* with blood
“ and slaughter. Such had been the fatal consequence of the counsels
“ of that perfidious Citizen, if some Senators, better friends to their
“ country, had not hindered them from taking effect. To you, *Con-*
“ *script Fathers*, we address our just complaints. To your aid, and to
“ the wisdom of your decrees, we have recourse, to oblige this publick
“ enemy to appear before the whole *Roman* People, and answer for his
“ conduct. It is there, *Coriolanus*, that thou must defend thy counsels,
“ if thou dar’st so to do, or excuse them as proceeding from want of
“ thought: Take my advice; leave thy haughty and tyrannical max-
“ ims; make thyself less; become like us: Nay, put on a habit of
“ mourning, suit thyself to thy present fortune, implore the pity of thy
“ fellow-citizens; perhaps thou mayest obtain their favour, and the for-
“ giveness of thy faults.”

When *Decius* and his colleagues had said all they thought proper to say, D. Hal. B.
7. P. 453.
the Consuls asked the opinion of the Assembly: They began with the
Consulars and the oldest Senators; for in those days, says *Dionysius*, the
young Senators were not so presumptuous as to think themselves capable
of instructing their seniors. Modest and reserved, and not daring to speak,
they only gave their opinion by some sign, or by walking over to that side
which they thought to be most in the right. It was from this respectful
way of declaring their minds, that they were called *Senatores Pedarii*, (from
the Latin *pes*, a foot:) Thus it was a common saying, that a *Pedarian*
opinion was like a head without a tongue.

§. III. *APPIUS CLAUDIUS*, when called upon for his opinion, spoke to
this effect: “ You know, *Conscrip*t Fathers, that I have long opposed, and
“ frequently alone, that too great easiness with which you grant the Peo-
“ ple whatever they demand. Perhaps I made myself troublesome,
“ when I so frankly laid before you the misfortunes which I presaged
“ would follow from our re-union with the deserters from the Common-
“ wealth. The event however has but too well justified my apprehen-
“ sions. The People take advantage of your favours to ruin your au-
“ thority; you cannot but see that there is a design to change the form
“ of our Government. At first the only demand was *the abolition of*
“ *the debts*; and this People, who are now so haughty, and who en-
“ deavour to make themselves the sole Judges of the Senators, then

Year of
R O M E
CCLXII.
Bef. J. C.
Four hun-
dred nine-
ty.

Nineteenth
Consulship.

“ thought they stood in need of a pardon, for the disrespectful manner
“ in which they sued for that first concession.
“ Your easiness gave occasion to new pretensions; the *Plebeians* would
“ have their particular Magistrates. You know how earnestly I opposed
“ this innovation; but you assented in this point also; you allowed the
“ annual creation of Tribunes, that is to say, ringleaders of sedition.
“ Not content with this, the People would have the persons of their
“ Tribunes declared sacred and inviolable, made secure by the most so-
“ lemn oaths; privileges never granted even to the Consuls: Yet you,
“ *Conscript Fathers*, suffered this usurpation too, and swore upon the al-
“ tars the destruction of yourselves and your posterity. What has been
“ the fruit of all these favours? They have only served to encourage the
“ People to further encroachments upon your authority. They *make*
“ *laws without previously consulting you*, and even contrary to your will.
“ They despise the Decrees of the Senate, accuse the Consuls of male-
“ administration, and, if any extraordinary adversity happens, which
“ human prudence could not foresee, they impute it, not to fortune, but
“ to our malice. They pretend, that we form plots to deprive them of
“ their liberty, or drive them out of their country: and under this pre-
“ text they are ever conspiring against us, as if they knew no way of
“ preserving themselves, but by our destruction. Too many of their
“ actions, which are fresh in your minds, evidently discover this design;
“ but especially their late attempt, without any the least form of justice,
“ to take away the life of that great captain, and most worthy citizen,
“ *Caius Marcius*, on pretence that he gave bad counsels in our Assembly.
“ If the Consuls and most respectable Senators had not united to stop
“ their fury, we had all in one day been deprived of our dignities, our
“ power, and our liberty.

“ The resolution and courage, which you shewed upon this last occa-
“ sion, in some measure awakened these mad-men from their drunken
“ fit. They seem now to be ashamed of a crime which they could not
“ accomplish; they desist from violent methods, because they have found
“ them unsuccessful; and they seemingly have recourse to justice, and the
“ rules of law.

“ But what is this justice, immortal Gods! which these men would
“ introduce? they endeavour, by appearances of submission, to obtain
“ from you a *Senatus-consultum*, which may give them power, not to *try*,
“ but, in truth, to drag to execution the best Citizen of *Rome*. They
“ alledge the *Lex Valeria* as the rule of your conduct: But does not
“ every body know, that this law, which allows of appeals to the Assem-
“ bly of the People, was not a law made *against* the *Patricians*, but only
“ for the relief of such poor *Plebeians* as might happen to be oppressed
“ by the Great? And when you afterwards consented to the creation
“ of the Tribunes, neither you, nor even the People themselves, in-
“ tended any thing more in the establishment of those new Magistrates,

“ than

“ than that this law might have protectors, and the poor be provided
 “ with advocates. The treaty of re-union gave no power to the People
 “ to try *Patricians* at their Tribunal. No, the *Valerian Law* is what
 “ they insist upon. Well then, during eighteen years that it has been
 “ in force, let *Decius* give me one single instance of a *Patrician* called
 “ in judgment before the People by virtue of that law, and our dispute
 “ will be at an end. There is no such precedent. If *Marcus* or any
 “ other *Patrician* has so offended the people, as to be thought worthy
 “ of death or banishment, let him be try’d; not in an *Assembly of Ple-*
 “ *beians*, but *here*, in *this Assembly*; and let him be punished as the laws
 “ direct. For can it be supposed that the *Plebeians* will be impartial
 “ in their own cause, and, when they come to give their votes, be un-
 “ der no influence from prejudice against a *Patrician* whom they con-
 “ sider as their enemy? It is my advice, *Conscript Fathers*, that, before
 “ you come to any determination, you maturely consider, that in this
 “ affair your interests are inseparable from those of *Coriolanus*: As for
 “ the favours you have already granted the People, I am not for revok-
 “ ing them, by whatever means they were obtained; but I cannot for-
 “ bear exhorting you to refuse resolutely what they now demand, or may
 “ hereafter demand, inconsistent with your own authority, and the pre-
 “ sent form of our Government.”

Year of
R O M E
CCLXII.
Bel. J. C.
Four hun-
dred nine-
ty.
Nineteenth
Consulship

§. IV. MANIUS VALERIUS, that popular Senator who had been so service-
 able in the treaty upon the *Mons Sacer*, spoke next after *Appius*, and, in
 a studied harangue, took the part of the people. Having first said some-
 thing in general, in the stile of invective, against those who fomented
 discord between the two orders in the state, he proceeded to the affair
 of *Coriolanus*, and declared himself for granting to the people what they
 desired. He said, that nothing was more likely to disarm the People’s
 rage against the illustrious *Patrician* accused, than to leave him to their
 judgment: that the multitude calling to mind his personal merit, and
 full of gratitude for the Senate’s ready compliance with their desires, would
 certainly absolve him: That, nevertheless, to appease them entirely he
 would have all the Senators disperse themselves in the Assembly, and each
 endeavour, by a gentle and popular behaviour, to win over those of the
Plebeians with whom he was acquainted.

D. Hal. B.
7. P. 152.
& seq.

Valerius then turning to *Coriolanus*, conjured him in the most affecting
 manner to give peace to the Republick: “ Go, *Coriolanus*, offer yourself
 “ generously to the People’s judgment; this is the only way of justify-
 “ ing yourself, that is worthy of you; this is the surest means to silence
 “ those who accuse you of aiming at the tyranny. If you persist in
 “ shewing a contempt for that Tribunal, and in disowning its juris-
 “ diction, to you alone will be imputed all the evils that shall be con-
 “ sequent to such an obstinate and proud behaviour. Are you desirous
 “ that the Senate, your zealous friends, should, for your sake alone, en-
 “ gage in a contest with the People, where a defeat must be fatal to

Year of
R O M E
CCLXII.
Bef. J. C.
Four hun-
dred nine-
ty.

Nineteenth
Consulship.
D. Hal. B.
7. p. 460.

“ them, and even a victory would be shameful? Set before your eyes
“ the frightful image of a Civil War; the laws without force; the Ma-
“ gistrates without power; fury and violence reigning universally; fire
“ and sword gleaming on all sides; your fellow-citizens murdering each
“ other; *Rome* sinking under the rage of the two parties, and buried be-
“ neath its own ruins.”

Valerius, who sincerely loved his country and was softened by the idea
of these great calamities, could not restrain his tears; and the tears of so
venerable a Consular, more eloquent than even his discourse, touched the
greater part of the Senators, and disposed their minds to peace.

Then *Valerius*, finding that he was master of the assembly, raised his
voice, and, as if he had got fresh strength, or were become another man,
shewed himself undisguised, and spoke to them with that authority which
his age and long experience in affairs gave him: “ We are made to fear,
“ that the publick liberty will be in danger, if we grant so much power
“ to the People, and allow them to try those of our order who shall be
“ accused by the Tribunes. I am persuaded, on the contrary, that no-
“ thing is more likely to preserve it. The Republick consists of two or-
“ ders, *Patricians* and *Plebeians*: The question is, which of these two
“ orders may more safely be trusted with the guardianship of that sacred
“ depositum, our liberty. I maintain that it will be more secure in the
“ hands of the People, who desire only not to be oppressed, than in those
“ of the Nobles, who all have a violent thirst of dominion. The No-
“ bles, invested with the prime Magistracies, distinguished by their
“ birth, their wealth, and their honours, will always be powerful
“ enough to hold the People to their duty: And the People, when they
“ have the authority of the laws, being naturally haters and jealous of
“ all enormous power, will watch over the actions of the Great, and,
“ by the dread of a popular enquiry and judgment, keep a check up-
“ on the ambition of such *Patricians* as might be tempted to aspire
“ to the tyranny. You abolished the Royalty, *Conscript Fathers*, because
“ the power of a single man grew exorbitant. Not satisfied with di-
“ viding the regal authority between two annual Magistrates, you gave
“ them a Council of three hundred Senators to be inspectors over their
“ conduct, and moderators of their Empire. But this very Senate, so
“ formidable to the Kings and to the Consuls, has nothing in the Re-
“ publick to balance its power. I know very well, that hitherto there
“ is all the reason in the world to applaud its moderation. But who
“ can say, whether we are not obliged for this to our fear of enemies
“ abroad, and to those continual wars which we have been forced to
“ maintain? Who will be answerable, that our successors, growing
“ more haughty and more potent by a long peace, shall not make at-
“ tempts upon the liberty of their country, and that in the Senate there
“ shall not arise some strong faction, whose Leader will find means to
“ become the Tyrant of *Rome*, if there be not at the same time, some
“ other

“other power, out of the Senate, to withstand such ambitious enter-
 “prizes, by impeaching the authors and abettors of them before the
 “People?”

“Perhaps it will be said, that the like inconvenience is to be appre-
 “hended from the People, and that it is impossible, by any provision,
 “to assure ourselves, that there shall not arise, among the *Plebeians*, some
 “popular man, who will abuse his influence over the minds of the mul-
 “titude, and, under the pretence of defending the People’s interests,
 “in the end invade both their liberty and that of the Senate. But you
 “well know, that upon the least danger which the Republick may seem
 “to be in, from that quarter, our Consuls have the privilege to name a
 “Dictator, whom they will never chuse but from among your own body;
 “and that this supreme Magistrate, absolute Master of the lives of his fel-
 “low-citizens, is able, by his sole authority, to dissipate a popular fac-
 “tion. The wisdom of our laws has allowed him that formidable power
 “but for six months, for fear he should abuse it, and employ, in the
 “establishment of his own Tyranny, an authority intrusted with him on-
 “ly to prevent the usurpations of other men.

“Thus with a mutual inspection the Senate will be watchful over the
 “behaviour of the Consuls the People over that of the Senate; and the
 “Dictator, when the State of Affairs requires the intervention of such a
 “Magistrate, will curb the ambition of all.

“If, *Conscript Fathers*, what I have said, concerning a balance of
 “power, be reasonable, refuse not to the People their present demand.
 “They annually create the Magistrates of the Commonwealth; they
 “enact Laws; they abrogate Laws; they make peace; they declare
 “war: The Senate has never pretended to be absolute master in these
 “points; which, nevertheless are, of all, the most important to the
 “State. While you recognize in the People those high prerogatives I
 “have mentioned, how can you think of denying them the permission
 “to try a private citizen, who is accused of exciting sedition, and aspir-
 “ing to the Tyranny? The more you intimidate the violators of our
 “laws, and the corrupters of our manners, by the many inspectors you
 “establish to watch the conduct of covetous and ambitious men, the
 “more secure will be our liberty, and the more perfect our consti-
 “tution.”

Almost all the Senators, who spoke after *Valerius*, agreed with him in
 opinion; and, in conclusion, it was carried by a great majority to refer the
 cause in question to the judgment of the People.

§. V. BEFORE the Decree was drawn up, *Coriolanus*, who found the
 Senate were deserting him, desired leave to speak; and having obtained
 it, he said, “You know, *Conscript Fathers*, what the whole course of
 “my life has hitherto been. You know that this unjust persecution
 “which I now suffer from the People, is occasioned only by the steady
 “and unalterable zeal which I have always shewn for your interests. I
 “shall say nothing of the return I now meet with; the event will shew
 “the

Year of
R O M E
CCCLXII.
Bef. J. C.
Four hun-
dred nine-
ty.

Nineteenth
Consulship.

D. Hal. B.
7. P. 462

Year of
R O M E
CCLXII.
Bel. J. C.
Four hun-
dred nine-
ty.

Ninetieth
Consulship.
D. Hal. B.
7. p. 462.
p. 463.

Plut. r.
223.

“ the weakness, and perhaps the malice of the counsels given you in this affair. But since *Valerius's* opinion has at length prevailed, let me know at least what is the crime I am charged with, and upon what conditions I am delivered over to the fury of my adversaries.”

Coriolanus said this, in order to draw the Tribunes into a confession, that they had no crime to accuse him of, but the speech he had made in the Senate. That speech was doubtless the sole or principal cause of their rage against him. However, that they might not be obliged to confine their charge to one fact only, and a fact, which, to treat as a crime, must naturally engage the whole body of the Senate in his defence, they, after conferring together, declared in general, that they would accuse him of aspiring to the Tyranny.

Coriolanus instantly replied, “ If that be the charge I am to answer to, I freely submit myself to the judgment of the People; let the Senate’s Decree be put in writing.”

The Senate, for two reasons, were very well pleased, that the affair took this turn: First, because no attack was to be made on the freedom of speaking in their Assemblies; and, in the second place, because *Coriolanus*, having always observed an irreproachable conduct, with regard to the crime undertaken to be proved upon him, they doubted not but he would easily clear himself at his trial.

All the parties being thus far agreed, and the Decree drawn up, the cause (as custom required) was appointed to be heard on the day after the third market-day; that is to say, twenty-seven days were allowed to the accused to prepare his defence: For these markets were held every ninth day, when the country people came to the City, to vend their commodities, and make up their differences with one another. The Tribunes, having assembled the People, read the Senate’s Decree to them, notified the trial, and exhorted all the Citizens of the Republick, as well as those who dwelt in the country, as the inhabitants of *Rome*, to be at the *Forum* on the day appointed for hearing and judging so important a cause. There needed not much eloquence on this occasion. Most of the *Plebeians* waited impatiently for the favourable opportunity to signalize their hatred to *Coriolanus*; and were as zealous against him, as if the preservation of the Commonwealth had depended on his destruction.

C H A P. XI.

§. I. *The day being come for Coriolanus’s trial, a dispute arises between the Consuls and Tribunes, whether the people shall give their Suffrages by CENTURIES, according to the ancient custom, or by TRIBES, which had never yet been practised. The Tribunes who are for the latter prevail,*

§. II.

§. II. *Coriolanus's cause is heard. He is condemned to banishment, and leaves Rome.*

§. I. **W**HEN the day came, that the great affair of *Coriolanus* was to be decided, an innumerable multitude crowded the *Forum* betimes in the morning. The Tribunes separated them by Tribes in order to their voting in this cause; whereas, from the reign of *Servius Tullius*, the voices had always been gathered by Centuries. The Consuls being come to the Assembly, were for keeping up the ancient custom, not doubting but they could save *Coriolanus*, if the voices were reckoned by Centuries, of which the *Patricians* themselves and the richest Citizens made the majority^a. But the Tribunes, no less artful, and more resolute, alledged, that in an affair which concerned the rights of the People and the publick Liberty, it was but just that the vote of every the poorest and meanest Citizen should be of equal weight and value with that of the richest and most noble; and, after a warm struggle, the Tribunes carried their point.

Year of
R O M E
CCLXII.
Bel. J. C.
Four hundred ninety.

Nineteenth
Consulship.
D. Hal. B.
7. p. 464.

Just before they entered upon the cause, *Minucius*, the first Consul, made an harangue to the Assembly. He opened his discourse with reminding the people of the affection which the Senate had for them, and the favours it had heaped upon them at different times; and he declared, that all the return the *Fathers* asked was *Coriolanus's* discharge. He exhorted the *Plebeians* not to consider so much a few words which had escaped him in the heat of his discourse, as the important services which he had done the Commonwealth; and to be satisfied with his submission to their censure. He intimated to them, that if they acquitted *Coriolanus* by a plurality of voices, it would be said, they had found him innocent; whereas, if they discharged him without proceeding any farther in the prosecution, it would be considered as an act of favour to those who interceded for him. In answer to this, *Sicinius* loudly protested, that he would neither betray the liberties of the People, nor suffer any other man to betray them. But that, if the Senate did, *bona fide*, submit the accused to the judgment of the People, he should have a fair and impartial trial.

p. 465.

“ Well then, (replied *Minucius*) since, notwithstanding our intreaties, you obstinately insist that *Coriolanus* shall be tried by this Assembly, I demand that, pursuant to your agreement with the Senate, you confine your accusation to the single article of aiming at the Tyranny, and that you pretend not to mention any thing, by him said against the People in our Assemblies: For you are barred from that, by the conditions expressed in the very Decree which refers his cause to the

^a See this matter fully explained, B. I. c. 7.

Year of
R O M E
CCLXII.
Bel. J. C.
Four hun-
dred nine-
ty.
Nineteenth
Consulship.
D. Hal. B.
P. 467.

" judgment of the People." To prove what he alledged, he read aloud to them the *Senatus-consultum*; after which he descended from the *Rostra* *.

§. II. *SICINNIUS* then began the accusation with a laboured speech, which consisted however of only general invectives, importing, that the accused, by the whole tenour of his words and actions against the People, had manifestly discovered an intention to invade their Liberties, and become the Tyrant of his Country.

As soon as the Tribune had done speaking, *Coriolanus*, with a courage deserving a better fortune, presented himself in the Assembly, and answered the calumnies thrown upon his conduct, by a bare recital of his services. He began with his first campaigns, he gave an account of all the engagements in which he had fought, the wounds he had received, the military honours which his Generals had bestowed upon him, and the several commands in the army to which he had been gradually promoted. He exposed to the view of the whole People a great many different crowns which he had received, either for mounting the breach first in assaults, or for having first broke into the enemies camp; or lastly, for having in various battles saved the lives of a great number of Citizens. He called them aloud, each by his name, and cited them as witnesses of what he advanced. These men immediately stood forth, and gave publick testimony of the obligations they lay under to him. Stretching out their hands as supplicants, they conjured the Assembly not to destroy a man, to whom they owed their lives, and all that was dear to them; and they offered to undergo, in his stead, any punishment to which he should be condemned. As these *Romans* were mostly *Plebeians*, and men known to have deserved well of their Country, the multitude could not resist their pressing solicitations nor even refrain from tears. Then *Coriolanus*, tearing away his robe, shewed his breast all covered with the scars of a great number of wounds which he had received: " It was to save these worthy men, said he, it was to rescue these good Citizens out of the hands of our enemies, that I have a thousand times ventured my life. Let the Tribunes shew, if they can, how such actions are consistent with the treacherous designs they lay to my charge. Is it easy to believe, that an enemy of the People, a man who intended to destroy them in a time of peace, would expose himself to so many dangers in war, only to preserve their lives?"

This discourse, supported by a noble air, and that confidence which flows from innocence and truth, made the *Plebeians* quite ashamed of the prosecution. The best men of that order cried out, that they ought to

* Liberty is taken to use this word for speaking to the People; though the word the *suggestum* (or pulpit) or any eminent *rostra* was not introduced till many years place, whence we find the Magistrates after this time.

acquit so good a Citizen. But then the Tribune *Decius*, alarmed at this change, stood forth and said, “ Though the Senate does not allow us to prove the ill designs of *Coriolanus*, by the speech he made in their Assembly, and by his violent proceedings that followed it, we do not want other proofs equally strong and cogent, of his pride, and that spirit of tyranny of which we accuse him. You know that according to our laws, the spoils of the enemy belong to the *Roman* People; that neither the soldiers, nor their General himself has power to dispose of them; but that all ought to be sold, and the money, thence arising, carried by a *Quæstor* into the publick treasury; such is the usage and constitution of our Government. Nevertheless, contrary to these laws, which are as ancient as *Rome* itself, *Coriolanus*, having got a considerable booty in the territories of the *Antiates*, divided it all, by his private authority, among his friends, giving them what was the People’s due. This I call a proof of Tyranny. For indeed what was this, but with the publick money to make to himself creatures, and provide guards, and supporters of his intended usurpation? He must either deny a notorious fact, and say, that he did not dispose of that booty, or must shew that, in disposing of it, he did not violate the laws. Without dazzling us with the splendid show of his crowns and scars, or using any other arts to blind the Assembly, let him answer directly to this one article which I urge against him.”

Year of
R O M E
CCLXII.
Bel. J. C.
Four hundred
ninety.
Nineteenth
Consulship.
D. Hal. B.
7. p. 468.

It was true, *Coriolanus* had, by his private authority, disposed of the plunder which the Tribune spoke of: but it was not true, that he had divided it among his friends and creatures only, as was objected to him, but among all his soldiers: nor had he done this with a view to the Tyranny, or with any evil intention; but to engage his soldiers to follow him the more readily another time, and in hopes, that the example of their success would incite the *Plebeians* at *Rome* voluntarily to take the field, and seek provisions in the enemy’s country, at a time when the City was grievously distressed by a famine, and the Tribunes opposed all regular levies of Soldiers. This was the real fact. But it is probable, that many of the people, who had had no share in that expedition, were envious of the good fortune of *Coriolanus*’s soldiers; and *Decius*, perhaps, having observed this, took the present occasion of awakening their envy, and of seducing them thereby to condemn *Coriolanus* for a generous action, by which they themselves had received no benefit.

As neither *Coriolanus*, nor any of his friends had expected this last accusation, they were wholly unprepared with an answer. The Tribunes laid hold of this opportunity to collect the suffrages; and *Coriolanus* was condemned to perpetual banishment. Of the twenty-one tribes, but nine voted for him, and twelve against him.

Plut. in
Coriol. p.
223.

Most of the Nobles and *Patricians* thought themselves in a manner condemned to banishment with this great man, who had always been

Year of
R O M E
CCLXII.
Bel. J. C.
Four hun-
dred time-
ty.

Nineteenth
Consulship.
D. H. B.
Z. P. 472.
Plut. in
Consol. p.
223.

the defender and support of their order. At first it was only a general consternation; but this was quickly succeeded by indignation and rage. Some reproached *Valerius*, that he had misled the Senate by his artful discourses; others reproached themselves for their excess of condescension to the People; all repented that they had not rather endured the last extremities, than abandoned so illustrious a Citizen to the insolence of the multitude.

Coriolanus was the only person among the *Patricians* who seemed unconcerned at his disgrace; he left the Assembly with the same tranquillity, in appearance, as if he had been acquitted. He went immediately to his own house, where he found his mother *Veturia*, and *Volumnia* his wife, all drowned in tears, and in the first transports of their grief. He exhorted them in few words to bear this reverse of fortune with courage and constancy; and having recommended to them the care of his children, which were yet but infants, he instantly took his leave, not suffering any body to attend him in his exile, except three or four of his clients. A great number of the Senators and other *Patricians* accompanied him to the gates of the city, but he said not one word to them by the way, and he parted from them in the same reproachful silence, neither thanking them for any good offices past, nor requesting any future favour *.

* *Coriolanus* was probably about 35 years of age at the time of his banishment. He had stood for the Consulship the year before, and, (according to *Plutarch*, p. 220.)

had then served 17 years. He began to serve as soon as he was of an age to bear arms, that is at 17.

C H A P. XII.

§. I. *The Plebeians exult upon the victory they have gained over the Patricians in the affair of Coriolanus. The Romans having now no war abroad, nor squabble at home to employ them, turn their minds wholly to superstition, during the Consulship of Q. Sulpicius and Sp. Lartius.* §. II. *The Tribunes, from a political view, persuade the People, at the next election of Consuls, to chuse men of little spirit, and mean abilities for war. Their choice falls upon C. Julius and P. Pinarius Rufus.* §. III. *In the mean time, Coriolanus retires privately to Antium, one of the principal cities of the Volsci, discovers himself to Attius Tullus, General of that Nation, offers him his service against Rome, and is nobly received by him.* §. IV. *These two Generals concert a stratagem to stir up the Volsci to renew the war with the Romans. Coriolanus is introduced by Tullus into the Assembly of the Volscian States, and there makes a speech, which is highly applauded. They resolve upon war, and to commit the conduct of it to Tullus and Coriolanus; but first, by the advice of the latter, send an embassy*

baſſy to Rome, to make ſuch demands of the Republick, as they are ſure will be rejected. The Volſcian Ambaſſadors are diſmiſſed by the Roman Senate with a haughty answer.

§. I. **N**EVER did the People testify more joy, not even upon van- quishing the moſt formidable enemies of *Rome*, than they did now for the advantage they had juſt gained over the Senate and the whole body of the *Patricians*. By the proceedings in the affair of *Corio- lanus*, the PEOPLE had got a precedent for citing before their Tribunal, and judging the moſt illuſtrious of the Nobles; a precedent which the Tribunes failed not to improve into an eſtabliſhed cuſtom. And how much ſoever the ancient dignity of the *Patrician* order was diminished by this innovation, *Dionyſius* is of opinion, that it was a proper curb upon the ambition of the Great, and not only ſalutary to the Republick, but even neceſſary to its preſervation: And though ſome hot-headed Tri- bunes, animated by views of ſelf-intereſt, or private pique, might now and then abuſe their power, by commencing unjuſt prosecutions, yet thoſe of the Nobles, who took upon them the management of publick affairs, with honeſt and patriot intentions, would be in little danger of ſuſtaining any diſgrace by a ſentence of the People.

Year of
R O M E
CCXXII
B.C. J. C.
Four hun-
dred nine-
ty.
Nineteenth
Conſulſhip
D. Hal. B.
7. p. 470.

The ſame Hiſtorian, in the cloſe of his relation of what happened at *Rome*, from the time of the *ſacceſſion*, to the trial of *Coriolanus*, very juſtly remarks, as more worthy to be admired, than the moſt ſhining ex- ploits of the *Romans*, the rare temper and moderation which appeared in both parties, in their late contentions: That ſuch important changes ſhould be brought about, merely by conferences and arguments, and with- out any of thoſe inhuman and fatal acts of violence, which, on the like occaſions, were ſo common in the States of *Greece* and *Sicily*.

During the following Conſulſhip of *Q. Sulpicius* and *Sp. Lartius*, fu- perſtition alone filled the minds of the *Romans*. Nothing now was talk- ed of but viſions, ſpectres, miraculous voices, monſters, and prodigies of all ſorts. *Titus Latinus*, or, according to *Livy*, *Tib. Atinus*, an old man, and bed-ridden, made himſelf be conveyed in a litter, from the country to *Rome*, where he related to the *Conſcript Fathers* a dream, in which he ſaid, *Jupiter Capitolinus* had appeared to him, and commanded him to tell the Senate, "That they muſt repeat the celebration of the Publick Games, becauſe, in the laſt performance, a bad Dancer had led up the dances. He added, That he having neglected the admonition, *Jupiter* in revenge had thrown him into the condition he then was, having firſt killed one of his ſons." As ſoon as the man diſcharged his commiſ- ſion, ſo ſoon he recovered the uſe of his limbs; and this put the Senate into a terrible fright. Strict inquiries were made after the bad Dancer, and he was at length found to be a Slave, whom his Maſter, a ſubſtan- tial

Year of
R O M E
CCXXIII.
B.C. J. C.
Four hun-
dred eigh-
ty-nine.
Twentieth
Conſulſhip.
A 2d time
Conſul.
D. Hal. B.
7. p. 472,
473.
Livy, B. 2.
c. 36.
Plot. in
Coriol. p.
220.

Year of
R O M E
CCLXIII.
Bef. J. C.
Four hun-
dred eigh-
ty-nine.

Twentieth
Consulship.
D. Hal. B.
7. p. 480.

tial Citizen, had, just before the religious procession that preceded the sports, caused to be whipped through the *Crossways*, the *Forum*, and the *Circus*, through all which places the procession was to pass. The poor wretch, from the violence of his pain, had uttered imprecations, and had screwed himself into an hundred odd postures at every stroke; an improper and indecent prelude to so solemn a ceremony. And this it seems had offended *Jupiter*. The Citizen was fined, and a decree passed for renewing the Games in a more sumptuous and expensive manner than before. The Senate however deferred the celebration of them to the next Consulate.

§. II. THE Consular Power being now the only thing which kept the Tribunes in awe, we may well suppose, that they employed their efforts to hinder its falling into any hands, but of *Patricians* devoted to their interests, or too little esteemed to be much feared: And, perhaps, they insinuated to the People, that the greatest Captains were not the most fit to govern a Commonwealth: That men of their high courage, and accustomed to an absolute power in the armies, brought home with their victories a spirit of pride, ever dangerous in a free State. As the Consuls were always chosen in the *Comitia* by Centuries, of which those of the first and richest class made the majority, the Senators and *Patricians* had usually disposed of that dignity as they pleased. But now, even in that kind of Assembly, the *Plebeian* party carried their point by the artful management of their Tribunes. *C. Julius* and *P. Pinarius Rufus*, men known to be but indifferent soldiers, were, by the votes of the People, raised to the Consulship, and chiefly, (says *Dionysius*) for this reason:

D. Hal. B.
8. p. 481.
Year of
R O M E.
CCLXIV.
Bef. J. C.
Four hun-
dred eigh-
ty-eight.

Twenty-
first
Consulship.

* *M. Vertot* observes upon this occasion, that the Senate and the People acted both of them contrary to their real interests, and seemed to aim at joining two things incompatible. All the *Romans*, says he, as well *Patricians* as *Plebeians*, aspired to the conquest of *Italy*; the command of the armies was reserved to the *Patricians*, who indeed possessed all the dignities of the State; they had no soldiers but the *Plebeians*, whom they would reduce to that timid submission, and that servile dependence, which they could scarce have expected in mean artificers, and a populace bred up in obscurity. The People, on the other hand, powerful, numerous, and full of that ferocity growing from a continual exercise of arms, in order to lessen the authority of the Government, were for having Consuls and Generals who would be easy, indulgent, complacent to the multitude, and would behave themselves towards their sol-

diers rather with the modest manners of equality, than with that lofty and imperious air which the command of armies naturally gives a General. It was necessary for putting an end to the misunderstanding between those two orders in the Republick, that they should either jointly have resolved to content themselves with the narrow limits of their State, and lay aside the ambition of making conquests; or that the *Patricians* should have allowed a greater share in the Government to a warlike People, Citizens during winter, but Soldiers all the summer; and the People, on their side, have named to the command none but the best Generals in the Republick.

Mr. *Vertot* adds, that he owes this reflection to the events that follow; it not being long before the People repented their having intrusted the government of the State, and the command of the Armies, to two men equally incapable of those functions.

§. III.

§. III. IN the mean time, *Coriolanus*, that exiled Hero, who had appeared so unmoved by his disgrace, was meditating, with all the force of his mind, the most effectual means to revenge his wrongs; his silence and seeming insensibility having been the pure effect of an indignation and resentment too deep for superficial expression. He spent the first days of his banishment at a country-seat of his own, his thoughts wholly employed how to compass the destruction of his enemies; a design, which his vengeful heart would not forego, though the execution of it should involve the ruin of his country. At length, when he had cast his eyes upon the several nations that were neighbours and enemies to *Rome*, *Sabines*, *Aequi*, *Tuscans*, *Volsci*, and *Hernici*, he found none that seemed more exasperated against the *Romans*, or in a better condition to undertake a war, than the *Volsci*.

Plut. in
ty-eight.
Twenty-
first
Consulship.
D. Hal. B.
8. p. 481.
Plut. in
Coriol. p.
224.

They were a Republick or Community, consisting of several small cantons, united, by a league, and governed by an Assembly of Deputies from each of them. This Nation bordering upon *Rome*, and jealous of her rising greatness, had always opposed it with remarkable courage, though with little success. The *Romans* had taken from them some of their towns, and part of their territory; and, during the time that *Coriolanus's* affair was depending, had, by threatening them with a new war (on occasion of some violence they had offered to certain *Sicilian* Ambassadors sent to *Rome* upon the corn traffick) terrified them into the submission of supplicants for peace. The *Volsci* obtained of the Republick a truce for two years. But this did not lessen the animosity in their hearts; they sought all over *Italy* to stir up new enemies against the *Romans*; and it was upon the knowledge of this *Coriolanus* built his hopes of engaging them to renew the war. But he was the most unfit man in the world for such an undertaking; he had done them more mischief than all the other *Roman* Generals; more than once he had cut to pieces their troops, ravaged their country, taken and plundered their towns: the name of *Coriolanus* was no less odious than formidable throughout the whole community of the *Volsci*.

Besides, they had at this time, for their General, *Attius Tullus*, whom *Coriolanus*, in many actions, where they fought against each other, had constantly vanquished; a disgrace which few Commanders have magnanimity enough to forgive. Nothing could be more dangerous for the *Roman*, than to put himself into the hands of such an enemy: Nevertheless, immoderate thirst of vengeance being now the prevailing passion in his soul, that was unused to fear, he resolved to apply himself immediately to *Tullus*.

He departed from his retreat in disguise; and in the evening entered *Antium*, one of the chief Cities of the *Volsci*. It was here that *Tullus* resided, and to his house *Coriolanus* went directly. With his face covered, and without speaking one word, he walked in, and seated himself by the hearth of the domestick Gods, a place sacred in all the houses of the ancient *Pagans*. A behaviour so extraordinary, and a certain air of autho-

Liv. B. 2.
c. 35.
Plut. in
Coriol. p.
224.
D. Hal. B.
8. p. 481.
V. d. Max.
B. 5.

Year of
ROMAN
CCLXIV.
Bel. J. C.
Four hun-
dred eigh-
ty-eight.

Twenty-
first
Consulship.

rity that never abandons great men, surprized the servants; they ran to tell their master. *Tullus* came, and demanded of him who he was, and what he required.

Coriolanus then discovering himself: "If thou dost not yet know me, I am *Caius Marcius*, my surname is *Coriolanus*, the only reward left me of all my services. I am banished from *Rome* through the hatred of the People, and the pusillanimity of the Great: I seek revenge; it lies in thy power to employ my sword against our common enemies. If thy Republick will not accept of my service, I give my life into thy hands; destroy an old enemy, who otherwise may do more mischief to thy country."

Tullus, amazed at the greatness of his courage, gave him his hand: "Fear nothing, *Marcius*, thy confidence is thy security. By giving us thyself, thou makest us an inestimable present; we shall know how to value thy services better than thy fellow-citizens: So great a Captain may justly expect the highest honours from the *Volsi*." He then led him into his apartment, where they privately conferred about the means of renewing the war.

D. H. D. B.
8 p 457.
457.
Liv. B. 2.
c. 57.
Plut. in
C. noli. p.
276.

§. IV. IT has been already observed, that there was at this time a truce between the *Volsi* and the *Romans*; the business was to bring the former to a resolution of breaking it; a point not easy to be carried, because of the losses which the *Volsi* had suffered in the last war. However, the two Generals found means to compass what they desired. The *Romans* were preparing for their publick sports (a part of the religion of those times) pursuant to the admonition, before mentioned, of *Jupiter* by the old man. From the several Nations about *Rome*, there flocked to the show great numbers, and particularly of the *Volsi*. They crowded every quarter of the City; nay many, not being able to find houses to receive them, lay under tents in the publick places. So unusual a multitude of strangers gave uneasiness to the Consuls; and, to add to it, *Tullus* contrived to raise a false alarm, that the *Volsi* intended to set fire to the Town. The known animosity of that People against the Republick made the report easily credited; so that the Magistrates caused an order to be published, injoining all the *Volsi* to depart before night, and even prescribing the gate through which they should pass: And accordingly all of that Nation were instantly driven out of *Rome*. As they were returning home, each man bearing in his heart the shame of this ill usage, and a strong desire of revenge, *Tullus* met them in the way as by chance; and, when he had heard them relate the unworthy manner in which they had been treated, "Is it possible, he cried, they could drive you from a publick festival, like the profane wretches and outlaws? After so vile a treatment, you can no longer hide from yourselves the implacable hatred which the *Romans* bear you. And will you patiently wait till, without regard to the truce which has disarmed you, they suddenly invade us again, and lay waste our territories?"

Liv. B. 2.
c. 58.

An Assembly of the States was called without delay; and the more violent were for immediately carrying fire and sword into the territory of *Rome*, in revenge for the insult they had received. But *Tullus*, who conducted this affair, advised them, before they broke out, to send for *Coriolanus* into their Assembly: "That Captain, *said he*, whose valour we have so often experienced, and who now bears more enmity to the *Romans*, than even we ourselves, seems to have been brought hither by the Gods to restore our affairs; and he will give us no counsels, whereof he will not share the dangers or the execution."

The *Roman*, being introduced into the Assembly, appeared there with a countenance sad, but resolute, all present fixed their eyes attentively upon the man, whose name had been so dreadful to them; and they listened to him with that respect which is always paid to merit under persecution. When he had first related to them his story, and represented the ingratitude and injustice, with which he had been condemned by his fellow-citizens to perpetual banishment, he proceeded in words to this effect:

"If I had sought only a place of refuge, I might have retired either among the *Latines* our allies, or to some *Roman* colony. But a life so obscure had been to me insupportable; for I always thought it better for a man to die, than be reduced to such a condition, as to be unable either to serve his friends, or to revenge himself upon his enemies. This is my temper: I would deserve by my sword the *Asylum* I ask of you: let us join our common resentments. Those ungrateful *Romans*, who have banished me so unjustly, are your most inveterate enemies; you are sensible of it; with pleasure I perceive, you are all disposed to renew the war; and indeed it is much your interest to stop the progress, and diminish the strength of so incroaching a neighbour. But, in order to render this war successful, the motive you shall assign for taking arms, must be just in the sight of the Gods, and such as will engage the several States about *Rome* to espouse your cause. You are not ignorant of how small an extent, at the founding of that City, the *Roman* territory was, which is now stretched into a wide dominion, by the conquests they have made, or, to speak more justly, by their usurpations. There is not, in all their neighbourhood, a Nation from which they have not wrested some of its towns, and a considerable part of its lands. The *Sabines*, *Albans*, *Æqui*, *Iltrurians*, and others have suffered from them like injuries to yours. Make it the common interest of those States to join you in your enterprize. Let Ambassadors be sent to demand of the *Romans*, *Restitution of the lands and cities which they have taken from you, whether by hostile invasions, or by compulsive treaties.*

"If the *Romans*, intimidated by your menaces of a war, consent to restore to you the towns and the lands which they have deprived you of, then, after your example, the other Nations of *Italy* will demand back what has been taken from them; which, if submitted to, will

Year of
ROME
CCCLXIV.
B.C. J. C.
Four hundred
eighty-eight.
Twenty-
first
Confulship.
D. Hal. B.
8. p. 484,
& seq.

Year of ROME CCLXIV. Bef. J. C. Four hundred eighty-eight. " at one stroke reduce that proud People to their original weakness. Or, " if they resolve, as I doubt not but they will, to retain their usurpations, " and bid you defiance, then, in a war so equitable, you will have both " Gods and men your friends. As for me, in whatever post you place " me, you may rely upon my zeal for your service, and my punctual execution of your General's orders. If, heretofore, when your enemy, I " was very hurtful to you, I may perhaps be found equally useful, when " fighting in your cause."

Twenty-full Consulship. D. Hal. B. 2. p. 487. Loud and universal applause was given by the Assembly to this discourse; and, to bind *Coriolanus* more strictly to them, they instantly conferred on him the quality of Senator. At the same time, pursuant to his advice, Ambassadors were dispatched to *Rome*; where being admitted to audience, they represented to the Senate, " That the *Volsci* were very desirous to terminate amicably all their differences with the *Roman* Republick; but that, in order thereto, it was necessary *Rome* should restore to them the towns and lands of which she had deprived them: " That without this, there could be no solid and lasting peace between " the two States: and they therefore hoped, the Senate would not, by " a refusal of justice, put them under the necessity of commencing a " war."

Plut. in Coriol. p. 226. The Ambassadors being withdrawn, the Senate did not spend much time in deliberation: At *Rome* to yield to menaces was a thing unknown, or to submit to an enemy, even though victorious; so that the Ambassadors were soon called in again. The first Consul told them in few words, that fear would never make the *Romans* give up what they had conquered by their valour; and that, if the *Volsci* were the first to take arms, the *Romans* would be the last to lay them down. And with this answer they were dismissed.

C H A P. XIII.

§. I. *Coriolanus at the head of a Volscian army recovers from the Romans all the towns they had taken from the Volsci; carries several cities in Latium by assault, and then leads his troops within five miles of Rome; where new Consuls are chosen, Sp. Nautius and Sex. Furius.* §. II. *The People terrified at his approach, cry out to have the sentence of his banishment reversed. The Patricians oppose it. He marches to Rome and invests the place. The Senate and People agree to sue to him for peace. Three Deputations are sent to him successively, to persuade him to desist from his demands in favour of the Volsci; but all in vain.* §. III. *The Mother and Wife of Coriolanus go attended by all the Roman Ladies of distinction to make a fourth attempt upon his resolution.* §. IV. *The interview and conference between Coriolanus and his Mother, who prevails upon him to raise the siege of Rome; after which he is assassinated by the Volsci.*

§. I. **T**HE report of the Ambassadors, at their return, was followed by a declaration of war. *Tullus* and *Coriolanus*, foreseeing the Senate's answer, had held their troops in readiness to enter upon action. The first, with a part of the forces, made an incursion into the country of the *Latines*, in order to hinder them from sending any assistance to the *Romans*: At the same time *Coriolanus*, with the remainder, threw himself into the territory of *Rome*, where he made a prodigious capture of freemen, slaves, corn and cattle, no measures having been taken to oppose him. Both parties returned from their expeditions enriched with booty; which proved an effectual means to augment the army: For the people henceforward, big with the hopes of conquest and plunder, came in crowds to enlist themselves. And now it was agreed that *Tullus* with a body of reserve should stay in the country to defend the entrance of it against the enemy, while *Coriolanus* at the head of the main army marched to give the Consuls battle, in case they appeared in the field. According to *Livy*, he first drove from *Circæum* a colony of *Romans* that were established there; but *Dionysius* says, that the inhabitants, intimidated by the approach of the enemy, opened their gates, and that *Coriolanus* only obliged them to furnish him with provisions and cloaths for his soldiers. He then took from the *Romans* *Satricum*, *Longulum*, *Polusca*, and *Corioli*, towns which they had won but a little before; he also made himself Master of *Corbio*, *Vitellia*, *Trebia*, *Toleria*, *Bola*, *Laticum*, and *Pedum*, all in *Latium*, or upon the confines of it. The *Latines* had sent to *Rome* for aid, but the Senate had exerted themselves, the distress of the Republick being extreme. For the *Equi* and other allies had revolted; and divisions and animosities reigned at home in the City.

Coriolanus, in his first expedition, had spared the houses and estates of the *Patricians*, either out of some remains of regard for those of his own order; or, which is more probable, to make them suspected by the People, and to increase the dissensions between them. Whatever was the motive, this was the effect of his conduct. The People failed not to accuse the Senate publicly of an understanding with *Coriolanus*, and of having engaged him to come at the head of an army, to abolish the *Tribunitian* power. The *Patricians*, on their side, reproached the People, with having forced so great a Captain to throw himself in despair into the party of the enemy. Suspicion, distrust, hatred actuated both orders; and in this time of danger they thought less of repulsing the *Volsi*, than of defaming each other. The two Consuls, hid behind the walls of *Rome*, made levies but slowly. *Spurius Naevius* and *Sex-tus Furius*, who succeeded them, used diligence in raising an army, but did not shew more courage and resolution than their predecessors: It was visible, they durst not encounter so able a General. The People themselves were in no haste to give their names to be inrolled: nobody cared for stirring out of *Rome*, whether it was that they had no great opinion of the capacity of their Leaders, or that they saw

Year of
ROMAN
CCLXIV
B.C. J. C.
Four hun-
dred eigh-
ty-eight.

Twenty
first
Consulship.
D. Hal. B.
8. p. 489.
Plut. p.
226.

D. Hal. B.
8. p. 490.
Livy, B. 2.
c. 39

D. Hal. B.
8. p. 491
p. 492.

p. 479.

Plut. p.
226.

p. 491.

Year of
ROMAN
CCLXV.
B.C. J. C.
Four hun-
dred eigh-
ty-seven

Twenty-
second
Consulship.

Year of themselves deserted by their allies, who had readily espoused the cause
R O M E
CCLXV.
Bef. J. C. which fortune favoured.

Four hun- *Coriolanus*, finding no army in the field to oppose his designs, advan-
dred eigh- ced still on, took *Lavinium*, and at length encamped at the *Cluilian* trenches.
ty-seven. five miles distant from *Rome*.

Twenty- §. II. UPON the fame of this great run of success, multitudes of the
second
Consulship. *Volsci* flock'd to *Coriolanus's* army. The very soldiers of *Tullius* him-
D. Hal. B. self
S. p. 493. drawn by the hopes of the punder of *Rome*; ~~and~~ the General, and de-
Plut. p. 227. clared, they acknowledged no other but the *Roman*; a fresh victory, of
a new kind, which *Coriolanus* gained over his old adversary, and of which
Tullius retained a sharp resentment in his breast. The eyes of *Italy*
were turned upon the *Romans* and *Volsci*, who, by only one man's chang-
ing sides, had experienced a surprizing change in their fortunes: So
true it is, that the strength of a state consists not so much in the number
and bravery of its troops, as in the abilities of him who commands them.

D. Hal. B. The consternation was general at *Rome*. The People, who from the tops
S p. 496. of the walls beheld the enemies spread all over the country, came into
the *Forum*, and with clamorous voices demanded a peace, and to have the
sentence against *Coriolanus* reversed. That very people who, with so
much fury, had hurried him into banishment, with equal violence now
press'd to have him recalled. The Senate being assembled to consider
of this proposal, absolutely rejected it; which they did, either to remove
the suspicion of their having intelligence with him, or perhaps from that
high spirit so common among the great men of the Republick, ~~and~~
more averse from peace than after ill success.

Plut. p. *Coriolanus* no sooner heard of the Senate's resolution, but he broke up
227.
D. H. ibid. his camp, marched directly to *Rome*, and invested the place, as if he meant
to besiege it. A design so daring threw both the *Patricians* and the *Ple-*
beians into an equal consternation; all courage and resolution failed them,
and hatred gave place to fear. The Senate and People with one accord
determined now to sue for peace. Five Senators, who had been zealous
p. 497. friends of *Coriolanus*, were choten to be sent to him upon this negotiation.
These were *M. Minucius*, *Posthumius Cominius*, *Sp. Lartius*, *P. Pinarius*,
and *Q. Sulpicius*, who had all five been Consuls.

Plut. p. The *Volsci* made these Deputies pass thro' two ranks of soldiers stand-
428. ing to their arms; and *Coriolanus*, surrounded by his chief officers, received
them seated in his Tribunal, with the state of an enemy who is resolved
to prescribe the law.

D. H. ibid. *Minucius* exhorted him in modest and pathetick terms to give peace to
& seq. the two Nations; and conjured him not to push too far the advantages,
which his superior courage and abilities had given the *Volsci*; but to re-
member the regard he owed to his Country. He put him in mind of the
friendship the *Patricians* had always shewn him; and even excused in
some measure the People, of whom nine tribes had voted for him. He
represented to him the unreasonableness of carrying his resentments to such
an unbounded excess, and the remorse that must follow so criminal an
enter-

enterprize as he was engaged in; how successful soever it might prove. He then reminded him of the instability of fortune, tho' it had hitherto favoured him; and, in conclusion, invited him to return into the bosom of his native City, which now, as a tender mother, stretched out her arms to receive him.

To all these remonstrances *Coriolanus* gave this severe answer: That *Rome* might obtain a peace, if she would restore to the *Volsci* the Country she had taken from them, grant them the same rights of Citizenship which she had granted to the *Eutines*, and recall the *Roman* colonies from those towns she had got possession of unjustly; but that he could abate nothing of these demands.

That as to the liberty offered him of going back to *Rome*, it was not worth his acceptance. "With what satisfaction, said he, can I return to a City where injustice reigns, and vice enjoys the honours which are due to virtue? Consider the men who govern there, and the man you have driven thence. What was my crime? I could not bear to see the whole authority of the Government fall into the hands of factious Tribunes and a senseless Populace. This was the offence for which the Senate delivered me up to the fury of the People. Yes, the Senators are they whom I accuse as the Authors of my misfortunes. The injustice of the people indeed condemned me, but it was the weakness of the Senate which put me within the reach of their power: so that baseness and iniquity are become universal in the Republic. — What a shameful life should I be forced to drag on, in *Rome*? Flatter the insatiable multitude? not dare to speak my opinion with freedom? — And who will promise me, that I shall not meet with a *Sicinnius* or a *Decius* to arm the Populace once more against me? How can I be assured that the devastations made on your lands, the conquest of your cities, and the slavery of your allies will not be laid as fresh crimes to his charge, who was deemed worthy of death for bare words? — You accuse me of impiety. Have I been guilty of any towards *Rome*, that cruel mother, whom no services could oblige, and who has cast out of her bosom a son that was useful to her, and zealous for her glory? I owe her no longer any duty. The Nation of the *Volsci* is now my mother. She forgot the mischiefs I did her; she received me when a fugitive, a wanderer and poor. She has been profuse in bestowing upon me her honours, her magistracy, and the command of her armies. You think it impious to abandon professed enemies; and you would have me betray the most affectionate friends, when they place all their confidence in me. No, *Romans*, I am not like you. I know how to acknowledge obligations, and to adhere to those who have done me honour. The remorse you speak of is for *Rome* herself to feel; let her dread the rage of those avenging furies which torment the guilty. As for me, the Gods have sufficiently shewn that they approve of my resentments; and victory proclaims aloud whole cause it is that they espouse."

Year of
R O M E
CCLXV.
Ref. J. C.
Four hun-
dred eigh-
ty-seven.
Twenty-
second
Consulship.
Plut. ibid.
D. Hal. B.
8. p. 502.
&

Year of
R O M E
CCLXV.
Bel. J. C.
Four hundred
eighty-seven.
Twenty-
second
Consulship.

Coriolanus having spoke in this haughty strain as to what concerned the interests of the *Volsi*, and the injuries he had suffered from the *Romans*, came to a more gentle behaviour towards the Deputies. He assured them that he had not forgot the good-will they had formerly expressed for him; nor could ever lose the sense of his obligations to them for their generous protection of his mother, wife and children, since his banishment. That he was ready to do them any personal good office in his power, and for their sakes would even grant the *Romans* a truce for thirty days, and regard to the proper territory of *Rome*; but, that after the expiration of that term, he should expect from them a decisive answer. He then dismissed the Deputies.

D. Hal. B.
8. p. 509.
Plut. p.
223.

The thirty days, which he allowed the *Romans* to consider of his demand, he employed in taking other towns of *Latium*; and then appeared once more with his whole army in the neighbourhood of *Rome*. The Senate had spent the time in deliberations, and had come to a resolution never to receive law from their enemies, nor even to treat of an alliance with the *Volsi*, till they had withdrawn their troops from the territory of *Rome*, and from those of her allies. Ten other Senators, who had all been Consuls, were dispatched to *Coriolanus* to signify to him this determination of the *Fathers*. These Deputies conjured him to moderate his displeasure, and demand nothing that was unbecoming the dignity of the *Roman* name to grant. They bid him remember, that the *Romans* were not men whom threats could terrify; but they added, that, if in his opinion the *Volsi* deserved favour, they might, upon laying down their arms, obtain by treaty whatever they could reasonably desire.

D. Hal. B.
8. p. 510.

His answer was short, *That the Romans had no choice but resignation or war; and that he would allow them but three days to come to a final determination.* The Deputies would have replied, but he refused to hear them, commanded them instantly to leave his camp, and threatened to punish them as spies if they did not obey.

The Senate, though extremely piqued, when, from the report of their Deputies, they understood with what a haughty arrogance *Coriolanus* had treated them, were yet in no haste to send an army into the field against him; not thinking it adviseable to trust an affair of so great importance to the management of two Consuls, who had neither vigour, courage, nor military skill. It was resolved to keep close within the fortifications of *Rome*, and apply the whole strength of the Republick to the defence of the City; which they had much reason to fear would speedily be attacked. Some hope, however, still remained to the *Fathers* of preventing the calamity of a siege, by a new deputation to *Coriolanus*. As if the Republick (says *Plutarch*) had been beaten by a tempest, and were just ready to perish, they (according to the Proverb) *threw out the Holy Anchor*. For they ordered the Pontiffs, Priests, Augurs, all the Ministers of Religion, vested in their ceremonial habits, to go in solemn procession to his camp, and with most pressing instances, conjure him to comply with the proposals, which had been twice made to him for finishing the war.

In Cor. p.
278.

To these Sacred Ambassadors *Coriolanus* did not refuse an audience; yet they found him as inexorable to them as he had been to the prophane. He would abate nothing of his former demands.

Yea. of
R. G. E.
C. J. V.
R. J. C.
Four hun-
dred eigh-
ty seven.
Twenty-
second
Commisship.
D. Hal. B.
Plot. p.
229.

§. III. ALL hope of pacifying the injured exile being now extinguished, the sole business at *Rome* was to prepare with the utmost diligence for sustaining a siege. The young and able-bodied men had instantly the guard of the gates and trenches assigned to them; while those of the *Vetula*, who, though exempt by their age from bearing arms, were yet capable of service, undertook the defence of the ramparts. The women in the mean while, scared by these movements and the impending danger into a neglect of their wonted decorum, ran tumultuously from their houses to the temples. Every sanctuary, and especially the temple of *Jupiter Capitolinus*, resounded with the wailings and loud supplications of women, prostrate before the statues of the Gods. In this general consternation and distress *Valeria*, (sister of the famous *Valens Paphlagonia*), as it moved by a divine impulse, suddenly took her stand upon the top of the steps of the temple of *Jupiter*, assembled the women about her, and having first exhorted them not to be terrified by the greatness of the present danger, confidently declared, “That there was yet hope for the Republick; that its preservation depended upon them, and upon their performance of the duty they owed their country.”—“Alas! cried out one of the Company, what resource can there be in the weakness of wretched women, when our bravest men, our ablest warriors themselves despair?—It is not by the sword, nor by strength of arm (replied *Valeria*) that we are to prevail; these belong not to our Sex. Soft, moving words must be our weapons and our force. Let us all, in our mourning attire, and accompanied by our children, go beg and intreat *Veturia*, the mother of *Coriolanus*, to intercede with her son for our common country. *Veturia*’s prayers will bend his soul to pity. Haughty and implacable as he has hitherto appeared, he has not a heart so cruel and obdurate, as not to relent, when he shall see his mother, his revered, his beloved mother, a weeping suppliant at his feet.”

This motion being universally applauded, the whole train of women took their way to *Veturia*’s house. Her son’s wife, *Volumnia*, who was sitting with her when they arrived, and was greatly surprized at their coming, hastily asked them the meaning of so extraordinary an appearance. *What is it, she said? What can be the motive that has brought such a numerous company of visitors to this house of Sorrow?*

D. Hal. B.
8. p. 512.

Valeria, addressing herself to the mother, “It is to you, *Veturia*, that these women have recourse in the extreme peril, with which they and their children are threatened. They intreat, implore, conjure you to compassionate their distress, and the distress of our common country. Suffer not *Rome* to become a prey to the *Volsi*, and our enemies to triumph over our liberty. Go to the camp of *Coriolanus*: Take with you *Volumnia* and her two sons: Let that excellent wife join
“ her,

Year of
R O M E
CCLXV.
Bef. J. C.
Four hun-
dred eigh-
ty-seven.

Twenty-
second
Consulship.

“ her intercession to yours : Permit these women with their children to
“ accompany you ; they will all cast themselves at his feet. O *Veturia*,
“ conjure him to grant peace to his fellow-citizens : Cease not to beg till
“ you have obtained : So good a man can never withstand your tears :
“ Our only hope is in you. Come then, *Veturia* ; the danger presses ;
“ you have no time for deliberation ; the enterprize is worthy of your
“ virtue ; the Gods will crown it with success : *Rome* shall once more
“ owe its preservation to our sex : You will justly acquire to yourself
“ immortal fame, and have the pleasure to make every one of us a sharer
“ in your glory.”

Veturia, after a short silence, with tears in her eyes, answered, “ Weak
“ indeed is the foundation of your hope, *Valeria*, when you place it in
“ the aid of two miserable women. We are not wanting in affection to
“ our country, nor need we any remonstrance or intreaties to excite our
“ zeal for its preservation. It is the power only of being serviceable
“ that fails us. Ever since that unfortunate hour, when the People in
“ their madness so unjustly banished *Coriolanus*, his heart has been no
“ less estranged from his family than from his country. You will be
“ convinced of this sad truth by his own words to us at parting. When
“ he returned home from the Assembly, where he had been condemned,
“ he found us in the extremest depth of affliction, bewailing the miseries
“ that were sure to follow our being deprived of so dear a son, and so
“ excellent a husband. (We had his children upon our knees.) He kept
“ himself at a distance from us ; and when he had a while stood silent,
“ motionless as a rock, his eyes fixed, and without shedding a tear, *his*
“ done, *he said*.—O mother, and thou *Volumnia*, the best of wives, to
“ you *Marcus* is no more. I am banished hence for my affection to my
“ country, and the services I have done it. I go this instant ; and I
“ leave for ever a city, where all good men are proscribed. Support
“ this blow of fortune with the magnanimity that becomes women of
“ your high rank and virtue. I commend my children to your care.
“ Educate them in a manner worthy of you, and of the race from which
“ they come. The Gods grant they may be more fortunate than their
“ father, and never fall short of him in virtue ; and may you in them
“ find your consolation ! Farewel.

“ We started up at the sound of this word, and with loud cries of la-
“ mentation ran to him to receive his last embraces. I led his elder son
“ by the hand, *Volumnia* had the younger in her arms. He turned his
“ eyes from us, and putting us back with his hand, Mother, *said he*,
“ from this moment you have no son : Our country has taken from you
“ the stay of your old age.—Nor to you, *Volumnia*, will *Marcus* be
“ henceforth a husband ; may’st thou be happy with another, more for-
“ tunate !—My dear children you have lost your father.

“ He said no more, but instantly broke away from us. He departed
“ from *Rome* without settling his domestick affairs, or leaving any orders
“ about them ; without money, without servants, and even without
“ letting

D. Hal. B.
S. p. 513.

“ letting us know, to what part of the world he would direct his steps.
 “ It is now the fourth year since he went away; and he has never en-
 “ quired after his family, nor, by letter or messenger, given us the least
 “ account of himself; so that it seems as if his mother and his wife
 “ were the chief objects of that general hatred which he shews to his
 “ Country.”

“ What success then can you expect from our intreaties to a man so
 “ implacable? Can we women bend that stubborn heart, which even
 “ all the ministers of religion were not able to soften? And indeed what
 “ shall I say to him? What can I reasonably desire of him? That he
 “ would pardon ungrateful Citizens, who have treated him as the vilest
 “ criminal? That he would take compassion upon a furious, unjust Po-
 “ pulace which had no regard for his innocence? And that he would
 “ betray a Nation, which has not only opened him an *Asylum*, but has
 “ even preferred him to her most illustrious Citizens in the command of
 “ her armies? With what face can I ask him to abandon such generous
 “ protectors, and deliver himself again into the hands of his most bitter
 “ enemies? Can a *Roman* mother, and a *Roman* wife, with decency,
 “ exact, from a son and a husband, compliances which must dishonour
 “ him before both Gods and men? Mournful circumstance, in which
 “ we have not power to hate the most formidable enemy of our Coun-
 “ try! Leave us therefore to our unhappy destiny; and do not desire us
 “ to make it more unhappy by an action that may cast a blemish upon
 “ our virtue.”

The Ladies made no answer but by their tears and intreaties: Some
 embraced her knees; others beseeched *Volumnia* to join her prayers to
 theirs; all conjured *Veturia* not to refuse her Country this last assistance.
 Overcome at length by their urgent solicitations, she promised to do as
 they desired, if the Senate agreed to it. *Valeria* gave advice to the
 Consuls, of what the women had projected. The matter was proposed
 to the Senate, and was long debated. Some feared lest *Coriolanus* should
 detain all those Ladies, who were of the best families in *Rome*, and by
 that means make the gates be opened to him, without so much as draw-
 ing his sword: Others were even for securing his mother, wife and chil-
 dren, as so many hostages that might bring him to a better temper: But
 the majority approved of the new deputation, saying, that the Gods,
 who had inspired *Valeria* with this pious design, would give it success,
 and that no treachery was to be apprehended from a man of *Coriolanus's*
 character, proud indeed, severe and inflexible, but not capable of violat-
 ing the law of Nations.

This opinion having prevailed, the very next day all the most illustrious
 of the *Roman* Ladies repaired to *Veturia's* house. There they presently
 mounted a number of chariots, which the Consuls had ordered to be made
 ready for them, and, without any guard, took the way to the enemy's
 camp.

Year of
R O M E
CCLXV.
Bef. J. C.
Four hun-
dred eigh-
ty-feven.

Twenty-
fecond
Confulflup.
Plut. p.
739.

D. Hal. B.
S. p. 516.

p. 517.

p. 518, &
feq.

§. IV. *CORIO LANUS*, perceiving from afar that long train of chariots, ſent out ſome horſemen to learn the meaning of it. They quickly brought him word, that it was his mother, his wife, and a great number of other women, and their children, coming to the camp. He doubtleſs divined what views the *Romans* had in ſo extraordinary a depu- tation; that this was the laſt expedient of the Senate; and, in his own mind, he determined, not to let himſelf be moved. But he reckoned upon a ſavage inflexibility that was not in his nature: For, going out with a few attendants to receive the Ladies, ~~he ſaw~~ beheld *Veturia* attired in mourning, her eyes bathed in tears, and with a countenance and motion that ſpoke her ſinking under a load of ſorrow, but he ran haſtily to her, and, not only calling her, *Mother*, but adding to that word the moſt tender epithets, embraced her, wept over her, and held her in his arms to prevent her falling. The like tenderneſs he preſently after expreſ- ſed to his wife, highly commending her diſcretion in having conſtantly ſtaid with his mother, ſince his departure from *Rome*: And then, with the warmeſt paternal affection, he caſſed his children.

When ſome time had been allowed to thoſe ſilent tears of joy, which uſually flow in abundance at the ſudden and unexpected meeting of perſons ſo dear to each other, *Veturia* entered upon the buſineſs for which ſhe came. To avoid giving umbrage to the *Volſci*, *Coriolanus* had called the principal officers to be witneſſes of what paſſed between his mother and him. That ſhe might engage her ſon to have the more regard to her requeſt, ſhe began with telling him, that all thoſe women, whom he knew to be of the beſt families in *Rome*, had, during his ab- ſence, done every thing in their power, to give comfort to her, and *Vo- lumnia* his wife; ſhe added, that, touched with the calamities of the war, and apprehending the fatal conſequences of the ſiege of *Rome*, they were come, with united ſupplications to beg a peace at his hands: and ſhe conjured him in the name of the Gods not to reſuſe that favour to his Country.

Coriolanus answered, that he ſhould offend thoſe Gods, whom he had invoked to be witneſſes of his ſaith given the *Volſci*, if he granted her ſo unjuſt a demand. That he could not think of betraying the intereſts of a people who had not only honoured him with a place in their Senate, but had alſo truſted him with the command of their army: That he had found at *Antium* more honours and wealth than he had loſt at *Rome* by the ingratitude of his fellow-citizens; and that nothing would be wanting to his happineſs, if he would only prevail with herſelf to forſake *Ame*, and, in the country of the *Volſci*, ſhare with him all the advantages of his glorious fortune.

The officers, preſent at this conference, teſtified, by a murmur of applauſe, that they were highly pleaſed with his answer. *Veturia*, in her reply to it, aſſured him, that ſhe would never require any thing of him, that could bring a blemiſh upon his honour; but added, that without acting

acting inconsistently with his Obligations to the *Volsci*, he might mediate
 a peace between the *Romans* and them.—“ No, my son, I do not ask of
 “ thee to betray a people who have given thee so generous a reception,
 “ and even confided their arms to thy conduct. Nor do I wish that
 “ thou shouldst make a separate peace for thyself without the consent
 “ of the whole nation. *Veturia* is incapable of urging her son to any
 “ base action. Grant us only a truce for a year, that in this interval,
 “ a solid peace may be negotiated, an alliance that shall be firm and
 “ durable, and equally advantageous to both Nations. You, who are
 “ versed in publick affairs, can have no difficulty to persuade the *Volsci*,
 “ that a peace upon such fair conditions as they may now be certain to
 “ obtain, is preferable to a war, the final event of which is still uncertain.
 “ But if, elated by the success they have had under your guidance, and
 “ imagining that fortune must always favour them, they refuse to listen to
 “ your remonstrances, what hinders you from publicly resigning your
 “ commission of General? Let all be open: No disguise, no breach of
 “ trust, no treachery to your new friends: But then, beware, my son,
 “ of impiously continuing an enemy to those, with whom you have a yet
 “ more near relation.—Nor let the apprehension of appearing ungrate-
 “ ful to your benefactors restrain you from complying with my request.
 “ Have not the *Volsci* been sufficiently recompensed by the many signal
 “ and important services you have done them? Liberty was their sole
 “ ambition; you have not only procured them liberty, but have raised
 “ them to so high a pitch of prosperity, that they are now considering
 “ whether it will be more adviseable totally to suppress the *Roman*
 “ power, or to live with us upon a foot of equality, the two Nations
 “ under one and the same government. Can you imagine, that thus
 “ benefited, thus exalted by your aid, they will resent, as an injury,
 “ your not sacrificing to them your own country, your not imbruing
 “ your hands in the blood of your fellow Citizens?—You will tell me,
 “ perhaps, that you *hate* your country. But are you not unreasonable
 “ in so doing? When the *Romans* unjustly condemned you to banish-
 “ ment, was *Rome* in its natural state? Was it governed by the laws of
 “ our forefathers? Was not the Republick agitated by a violent storm?
 “ Were not the members of it distempered? Not all indeed; for they
 “ were not all of one mind. It was only the baser and more corrupt
 “ part of the Citizens that voted against you, and these incited by the
 “ pernicious counsels of their Leaders, those enemies to all good men.
 “ But had it been otherwise, had all the Citizens unanimously combined
 “ to banish you, as a man dangerous to the State on account of his mis-
 “ chievous politicks, would it be therefore allowable for you to revenge
 “ yourself in this manner? Many others, whose intentions, in the ad-
 “ ministration of publick affairs, were no less upright than yours; have
 “ been as unjustly and hardly treated as you; (you will find few good
 “ Magistrates whose shining merit has not excited envy;) and yet those
 “ worthy men suffered their disgraces with temper, considered them as

Year of
 R O M E
 CCLXV.
 Bef. J. C.
 Four hun-
 dred eigh-
 ty-seven.
 Twenty-
 second
 Consulship.

Year of
R O M E
CCLXV.
Bet. J. C.
Four hun-
dred eigh-
ty-seven.

Twenty-
second
Consulship.

“ in the number of those evils to which, by the condition of humanity,
“ they were inevitably exposed; and removing into foreign countries,
“ carried thither no resentment, no malice against their own. Who was
“ ever more injuriously treated than *Tarquinius Collatinus*? When with
“ an honest zeal, and with all his power, he had assisted in delivering
“ *Rome* from the tyranny of the *Tarquins*, he was himself banished
“ thence, upon a false accusation of plotting to re-establish that tyranny.
“ He retired to *Lavinium*, and there passed the remainder of his days in
“ tranquillity, without ever attempting any thing that could give credit
“ to the calumnies so maliciously vented against him.

“ But, if you will have it so, I shall suppose that every man who suf-
“ fers an injury, be it from friends or enemies, his countrymen or stran-
“ gers, has a right to revenge himself. Those, who by their unjust
“ usage of you provoked your anger, have you not sufficiently punish-
“ ed them? Our colonies expelled from their settlements by your arms;
“ the cities of our allies forced and plundered; the *Roman* lands pillaged
“ and laid waste; *Rome* itself invested, terrified with the apprehension
“ of famine, and of the whole variety of miseries incident to a City be-
“ sieged: How is it, that all this has not been sufficient to assuage thy
“ thirst of vengeance? O *Marcus*, at thy first entering the *Roman* ter-
“ ritory, did it not come into thy mind, *This is the country that gave me*
“ *birth; here I was nourished in my infancy; here I was brought up?*
“ And couldst thou have the heart to lay it waste? When thou sawest
“ the walls of *Rome* from afar, was it possible to forget, that within those
“ walls were thy household Gods, thy mother, thy wife, thy children?
“ Yet none of these reflections had any power to move thee. The most
“ amicable offers, repeated offers from the Senate, by Ambassadors,
“ men of the highest worth and chosen from among thy friends, have
“ been rejected by thee with scorn. The intercession, the earnest in-
“ treaties, of the whole body of the Priesthood, those sacred ministers of
“ Religion, have had no power to move thy compassion. No; to sa-
“ tisfy thy boundless revenge, *Rome*, thy native City, must be sacked,
“ and its inhabitants reduced to slavery. A frenzy, a madness of anger
“ that transports thee! Offended Gods are appeased by supplications,
“ vows and sacrifices: Shall mortals be implacable? Will *Marcus* set
“ no bounds to his resentment?—But, be it, that thy enmity to thy
“ country is too violent to let thee listen to *her* petition for peace, yet
“ be not deaf, my son, be not inexorable to the prayers and tears of
“ thy mother. Thou darest the very appearance of ingratitude to-
“ wards the *Volsi*; and shall thy mother have reason to accuse thee of
“ being ungrateful? Call to mind the tender care I took of thy in-
“ fancy and earliest youth; the alarms, the anxiety, I suffered on thy
“ account, when, entered into the state of manhood, thy life was almost
“ daily exposed in foreign wars; the apprehensions, the terrors, I under-
“ went when I saw thee so warmly engaged in our domestick Quarrels,
“ and with heroick courage, opposing the unjust pretensions of the fu-
“ rious

“ribus *Plœbeians*. My sad forebodings of the event have been but too well verified. Consider the wretched life I have endured, if it may be called life, the time that has passed since I was deprived of thee. O *Marcus*, refuse me not the only request I ever made thee; I will never importune thee with any other. Cease thy immoderate anger, be reconciled to thy country, this is all I ask; grant me but this and we shall both be happy. Freed from those tempestuous passions which now agitate thy soul, and from all the torments of self-reproach, thy days will flow smoothly on in the sweet serenity of conscious virtue: And, as for me, if I carry back with me to *Rome* the hopes of an approaching peace, an assurance of thy being reconciled to thy country, with what transports of joy shall I be received! In what honour, in what delightful repose, shall I pass the remainder of my life! What immortal glory shall I have acquired! And, if it be true, that there are different places for our souls, after death, I shall be in no danger of descending to those subterraneous and gloomy caverns where the wicked are confined. Nay, the Elysian fields, that delicious abode allotted for the virtuous, will not be the place of my habitation, but the pure and sublime region of the air, which is said to be inhabited by the children of the Gods. My soul shall there publish the praises of thy piety and affection to me, and never cease importuning the Gods to grant thee a full recompence of all thy merit.

Year of
R O M E
CCJ XV
Bel. J C
Four hun-
dred eigh-
ty-seven.
Twenty-
second
Consulship

“But I give myself up too much to these pleasing views. What will become of me, if thou continuest implacable? Dost thou believe, that, covered with the shame of a contemptuous denial, I will live till thy arms have decided our doom? That I will wait that dismal day, when I shall see my son either led in triumph by his countrymen, or erecting trophies on the ruins of that City where he was born? No, *Marcus*, be assured, that if I cannot move thee to compliance, I will here put an end to my life in thy presence: Thou shalt not march to *Rome*, without treading over the body of her who bore thee. And if this has not power to stop thy fury, yet consider at least, that, by thy bringing slavery on thy country, thy wife and thy children must inevitably fall under the same calamity, or avoid it by a speedy death.”

Coriolanus made no attempt to interrupt *Veturia* while she was speaking; and when she had ceased, he still continued in a deep silence. Anger, hatred, and desire of revenge, balanced in his heart those softer passions which the sight and discourse of his mother had awakened in his breast. She perceiving his irresolution, and fearing the event, thus renewed her expostulation:

“Why dost thou not answer me, my son? Is there then such a greatness of mind in giving *all* to resentment? Art thou ashamed to grant any thing to a mother who thus intreats thee, thus humbles herself to thee? If it be so, to what purpose should I longer endure a wretched life?” As she uttered these last words, interrupted by sighs, she

Year of R O M E CCLXV. threw herself prostrate at his feet ; his wife and children did the same ; and all the other women, with united voices of doleful accent, begged Bef. J. C. and implored his pity.

Four hundred eighty-seven. The *Volscian* officers, not able unmoved to behold this scene, turned away their eyes : But *Coriolanus*, almost beside himself to see *Veturia* at his feet, passionately cried out : *Ah ! mother, what is it you do ?* And, tenderly pressing her hand in raising her up, he added, in a low voice, *Rome is saved, but your son is lost.*

Twenty-second Consulship. And now, taking his mother and his wife aside to a private conference, it was agreed between them, that he should immediately retire with his army out of the *Roman* territory ; that nothing should be done by the Senate or People in favour of his return to *Rome* till a peace was concluded ; that he should employ all his credit to bring the *Volsci* to reasonable terms of accommodation ; and that, in case their past success made them obstinate, he should then lay down the command of their armies, which would probably be a means to bring them to a better temper. After this the women took their leave of him, and he turned his thoughts wholly to obtain an honourable peace for his country.

Plut. p. 231. Fame carried to *Rome* the news of the Ladies success, before they could arrive there themselves ; so that crowds of people came out and met them with grateful acclamations. A decree, allowing them to chuse their own reward, was presently passed with the unanimous consent of both orders. D. Hal. B. 8. p. 523. Plut. p. 231. The Ladies, when they had consulted together, agreed to ask nothing but permission to erect, at their own expence, in the place where they had overcome the obstinacy of *Coriolanus*, a Temple to *Women's Fortune*. The Senate highly applauded their disinterested nobleness of spirit, but would not suffer them to pay either for the Temple or the Statue that was to be worshipped in it. These were erected at the publick charge ; and *Valeria*, who had counselled so fortunate a deputation, was the first Priestess of this sanctuary.

p. 526. Early the next morning after *Coriolanus's* conference with his mother, he broke up his camp, and peaceably marched his army homewards. No-body had the boldness to contradict his orders, though many were exceedingly dissatisfied with his conduct, while others excused it, being more affected with his filial respect to his mother than with their own interests. As soon as he was arrived in the territory of the *Volsci*, he made a present to the soldiers of all the spoil that had fallen to his share during the whole campaign, and then dismissed them. This liberality increased their affection to him, so that they made his apology wherever they went.

p. 527. Plut. p. 232. But *Tullus*, who had long been jealous of the esteem and credit which his rival had gained with the soldiery, no sooner saw him returned to *Antium*, than he laid hold of the fair occasion which that return afforded to work his destruction ; accusing him, in a full assembly of the Citizens, of having basely betrayed the *Volsci* ; and commanding him to deliver up his commission, and give an account of his conduct in the war.

Corio-

Coriolanus did not refuse a trial, but insisted upon being tried by the General Council of the Nation, and not by the *Antiates* alone, among whom his enemy had too many dependants devoted to his will. This contest was a while obstinately carried on, till at length the *Volsian*, impatient to compass his design, and having suborned some Assassins, sent a summons to the *Roman* to appear in judgment on a certain day to clear himself of treason. On the day appointed, *Tullus* mounted his tribunal, and, having first charged his adversary with various crimes against the State, exhorted the people to employ violence, if the accused did not instantly abdicate his office. *Coriolanus* would have answered to the charge, and many of the assembly were disposed to hear him candidly; but when he began to speak, his voice was immediately drowned by clamours from *Tullus's* faction; and the most audacious of them crying out, Down with him, kill him, kill him, the furious rabble in a few moments stoned him to death.

Such was the end of this great man, according to *Dionysius* and *Plutarch*, who likewise agree in telling us, that the nation of the *Volsi* in general were not pleased with the murder of the hero, but much regretted the loss of him, and, after a pompous funeral, erected a stately tomb to his memory. *Dionysius* adds, that the *Romans* themselves, both men and women, on the first news of his death, went into mourning for him; but *Plutarch* will have it, that the men did nothing that expressed either honour for his memory, or resentment against him, yet suffered the women, at their own request, to wear mourning ten months, the longest mourning allowed by the laws of *Numa*.

Livy says nothing of the mourning of men or women at *Rome*, for their countryman. He seems to give no credit to the story of the murder, but rather to believe the report of *Fabius* (whom he styles *By far the most ancient of the Latine Historians*) that *Coriolanus* lived long, and in his last years was frequently heard to say, That exile, always grievous, was much more so in old age*.

* *FABIUS's* report is not incredible. *Coriolanus* had rejected all the offers of advantage to himself made him by the Senate, had been deaf to all the solicitations of his best friends, and had only yielded to his mother; and filial piety, in those days, was a high point of virtue. And accordingly both *Dionysius* and *Plutarch* tell us, that those of the army who disliked his retreat from before *Rome*, did not look upon him as treacherous, but thought his action pardonable; he being pressed to it by such affecting motives. Add to this, that the hearts of the soldiers

were gained to him by his liberality; and the whole nation indebted to him for extraordinary services. It may therefore easily be supposed, that they did not refuse him a quiet retreat in their country; and if we consider his haughty and unforgiving temper, and his inextinguishable hatred to the *Roman* Tribunes and the popular party, these will sufficiently account for his not seeking, or even desiring to return to *Rome*.

According to *CICERO* (in *Lael.*) *CORIO- LANUS* killed himself.

Year of
R O M E
CCLXV.
Bef. J. C.
Four hun-
dred eigh-
ty-seven.
Twenty-
second
Consulship.

D. Hal. B.
8. p. 528.

Plut. p.
233.

D. Hal. B.
8. p. 530.

B. 2. c. 40.

It may be proper, in the close of the history of this famous *Roman*, to mention, that, though DIONYSIUS (whom PLUTARCH copies) has been followed, in the text, in what he says of CORIOLANUS's *Consent* to be *tried* by the *People*, and of his *Defence*, at his *Trial*, against the accusations of the *Tribunes*; yet from the character of this *Patrician*, so haughty, obstinate, and untractable, LIVY's account seems more credible. Not a word in the *Latin* Historian of any such *Consent*, or *Defence*, or even *Trial*. He affirms, that CORIOLANUS did not appear on the day appointed for his *Trial*, and was condemned in his absence.

Dr. *Middleton*, in his *Treatise on the Roman Senate*, (p. 21,) prefers the authority of DIONYSIUS to that of LIVY. "Where these (says he) happen to differ, it cannot be difficult to decide, which of them ought to have the preference; nay, it is already decided by the *Judgment of all the best Criticks*; who, upon the comparison, have universally preferred the *diligence and accuracy of DIONYSIUS* to the *haste and negligence of LIVY*."

To call in question the *Judgment of all the best Criticks* must be an extreme presumption. I shall therefore only say, that if so mighty an authority had not decided in favour of DIONYSIUS, I should, in many instances, prefer (with regard to the history of the earliest times of *Rome*) the *brevity of LIVY* to the *ample and circumstantial accounts, and seeming accuracy of DIONYSIUS*: because I should suspect, that the *abundance of the Greek Historian* was in no measure owing to his *Diligence*, but to his *Boldness* in supplying from himself what he could not find elsewhere to make out his story. Several passages, I think, might be produced from his *Roman Antiquities* to justify this suspicion. We shall see by and by, whether his account of CORIOLANUS's affair will not alone be sufficient. At present I shall proceed to observe, that LIVY not only differs from DIONYSIUS, with relation to the facts above mentioned, but seems to have known nothing of that *Assembly of the People by Tribes* (the first assembly of the kind) which the *Greek Historian* reports to have passed sentence of banishment against CORIOLANUS. PLUTARCH makes the same report, and doubtless on his countryman's authority; and, I believe, that, on the same authority, and on that alone, all the learned moderns, who have treated of the *Roman Comitia*, have, without scruple, admitted the fact. Nevertheless, there are some considerations which make it difficult to believe, that the *Roman People* voted by *Tribes*, when CORIOLANUS was condemned to banishment.

I. *First*, The SILENCE of LIVY, who says not one word of *Comitia Tributa*, on occasion of CORIOLANUS's affair, nor till he comes to VOLERO's *Bill* (which was twenty years after) for chusing the *TRIBUNES* in those Assemblies. He speaks particularly, and fully enough of the trials of *Menenius* and *Servilius* before the *People*, the one fifteen, the other sixteen years posterior to the banishment of CORIOLANUS; but on neither of these occasions does he say the least word of *Tribes*: yet one would think, he could hardly have forbore mentioning, if it were true, what DIONYSIUS relates; namely, That these *Consulars* were tried in *Comitia Tributa*, and that *every one of the Tribes* gave sentence against *Menenius*, the son of their greatest benefactor; and *not one Tribe* voted against *Servilius*.

It is almost incredible that LIVY, in writing of the times, when so important a change is pretended to have been made in the constitution of the Republick, should pass it over, without the least notice, if History did really afford any proof of that change being then made.

Whether COMITIA TRIBUTA, *Assemblies of the People*, upon which the SENATE was to have no controul, should be introduced for the *Trial of SENATORS*, in *Capital Causes*, was surely a question of much greater moment to the SENATE, than whether the *Plebeians* should be suffered to chuse, in such assemblies, their own proper advocates, and legal protectors, the *TRIBUNES*: yet we find LIVY very ample upon

upon the dispute and struggle occasioned by VOLERO's Bill, and wholly silent as to any contest about *Comitia Tributa*, in the affair of CORIOLANUS.

Is it in any degree probable, that the Senators would have struggled with the Tribunes and the People, almost to a civil war, (as both *Livy* and *Dionysius* report), to hinder the TRIBUNES from being elected in *Comitia by Tribes*, if they had already consented to let *Senators* and *Consulars* be tried for their lives in such assemblies?

II. NOT only the SILENCE of LIVY concerning *Comitia Tributa* before VOLERO's time, but likewise what he SAYS, in speaking of VOLERO's Bill, seems to furnish good reasons to question the truth of *Dionysius's* date of the introduction of those *Comitia*. In Book II. chap. lx. *Livy* has these words:—"Thus with various fortune in war, and furious discord both at home and abroad, passed this year a, made memorable chiefly by the COMITIA TRIBUTA. The affair was more considerable for the victory itself, than for the benefit got by it. For neither the Plebeians acquired, nor the Senators lost so much strength, as the COMITIA themselves lost Dignity, by the exclusion of the Senators from the Council." [*Varia fortuna belli, atroci discordia domi forisque ANNUM exactum INSIGNEM MAXIME COMITIA TRIBUTA EFFICIUNT. Res major victoria suscepti certaminis quam usu. Plus enim dignitatis Comitiiis ipsis detractum est, Patribus ex concilio submovendis, quam virium aut Plebi additum aut ademptum Patribus.*]

M. Crevier * thinks it difficult to reconcile this passage of the historian with another, where he makes the first mention of VOLERO's Bill, for chusing the TRIBUNES in *Comitia Tributa*: "No trivial thing, under a plausible pretext and a harmless appearance at first, was proposed; but which would deprive the Patricians of all power of creating, by the votes of their Clients, such TRIBUNES as they liked." [*Haud parva res, sub titulo primâ specie minimè atroci, ferebatur; sed quæ Patriciis omnem potestatem per Clientium suffragia creandi quos vellent Tribunos auferret.*]

* See n. 2. on Liv. I. ii. c. 56.

If it were a duty incumbent on every reader of an ancient author to make him always consistent with himself, I should, on this occasion, say, That when *Livy* calls VOLERO's Bill *no trivial matter*, and a few lines after, *a thing weighty in itself*, [*Res suo molimine gravis,*] it is not with reference to its depriving the Patricians of their Influence in the Elections of TRIBUNES: for it appears plainly, that, though they were busy enough in those elections, they had no great influence on the voters; and were far from being able to create such Tribunes as they approved: otherwise, they certainly would not have suffered VOLERO to be two years successively in the Tribuneship. But they neither could hinder his election, nor get into the college any one man who would oppose his measures: By the power therefore of the Patricians, by the votes of their Clients, to create Tribunes, LIVY can only mean to intimate, that this was pretended by VOLERO, and offered as the reason for preferring his Bill; the avowed aim of which (whatever might be the secret one) was to put an end to undue influence in the election of Tribunes. And *Livy* seems to allow this pretence to be specious, and no way unreasonable. For what else can be the meaning of those words, *sub titulo primâ specie minimè atroci*?

And when the Historian, after saying, *annum insignem maxime Comitia Tributa efficiunt*, adds, *Res major victoria quam usu, plus enim dignitatis, &c.* I apprehend his meaning to be, that the difference was really very inconsiderable as to the influence of the Patricians in the People's choice of Tribunes. M. Crevier seems to doubt, whether there was any difference. *Quomodo per Clientium suffragia minus*

valerent Patres Tributis Comitiiis, quàm Curitiis, quibus antea Tribuni creabantur, haud satis liquet. And this makes it the harder for him to reconcile *Res major victoria quàm usu*, with *Haud parva res*. But M. Crevier, to increase the difficulty, has taken into consideration not only what *Livy* intimates, but what *Dionysius* tells us of the difference between *Comitia Curiata* and *Comitia Tributa*. The Senators were excluded the *Comitia Tributa*, according to *Livy*: and, according to *Dionysius* (when he speaks of *VOLERO's* Bill) no previous *Senatus Consultum*, nor Sacrifices, nor *Auspicia* (of which the *Patricians* had the sole management) were necessary to the holding these *Comitia*, and to the making valid what was determined there; all which were necessary in the other.

Haud parva res.] *Hæc non facile conciliari posse videntur cum iis quæ infrà de hac eadem re habet Livius in fine c. 60. ubi plus dignitatis Comitiiis per hanc actionem detractum ait, quam virium aut Plebi additum, aut ademptum Patribus.* Nec vero mediocriter imminuta videtur hac lege Patrum Potentia. Primo enim Patres ex Comitiiis Tributis submovebantur, quod docet noster in illo c. 60. loco quem jam attulimus. Inde est, quòd *Comitia hæc habebantur Plebis propria, & leges in iis latæ Plebiscita* nuncupabantur. 2º, *Dionysius* hac ipsa de lege agens l. ix. docet iisdem Comitiiis necessarium non fuisse ut *Senatus auctor* fieret. 3º. Nihil in iis opus fuisse sacris aut auspiciis quorum arbitri Patres erant. *Crev. Liv. p. 146.*

Now, supposing that these were, from the beginning, the distinguishing privileges of the *Comitia Tributa*, and that *Livy* had these in his mind, it will not be difficult to see, why he calls *Volero's* Bill *haud parva res*, and *res suo molimine gravis*. For the very introduction (under any pretence whatsoever) by full and undisputed authority, of *Comitia Tributa*, (a new sort of general Assemblies of the People, from which the *SENATORS* were to be, in all senses, excluded) was doubtless a matter of great moment; tho' the mere transferring the elections of the *Tribunes* from the *Curia* to the *Tribes* was not so. This latter might be *res major victoria quàm usu*.

Dionysius tells us, that *VOLERO*, in his second Tribuneship, before the bill was passed, added to it these clauses, That the *Ædiles* should be elected in *Comitia* by *Tribes*, and that these ASSEMBLIES should have power of concluding all matters, the cognizance and determination of which belonged to the PEOPLE. [*Πάντα τὰ ἄλλα, ὅσα ἐν τῷ δήμῳ πέρησθαι τε καὶ ἀποφασθαι δέον.* Et quicquid aliud apud POPULUM agi decernerique oporteret.] An addition, says the Historian, which imported nothing less than an abrogation of the power of the Senate, and a transfer of it to the People.

The very learned author of a late work, intitled, *ELEMENTS OF THE CIVIL LAW*, p. 203. speaks, as if he thought, that the clause *Quicquid aliud, &c.* had passed with the rest of the Bill into a Law. But *Dionysius* does not expressly say this: he seems rather, in the close of his story, to confine the matter of the Law to the Election of *Tribunes* and *Ædiles* in *Comitia Tributa*. And, had he expressly said, that the Bill was passed with that clause, yet the thing would be absolutely incredible; because, in that case, the electing of *Consuls*, and of all the *Curule Magistrates*; and the determination of all matters cognizable by the *Comitia Centuriata* would have been transferred to the *Comitia Tributa*; which no-body has ever imagined.

But to return to *Livy's* words, *ANNUM INSIGNEM MAXIME COMITIA TRIBUTA EFFICIUNT*, I shall leave it to the readers consideration, whether, as the Historian never mentions *Comitia Tributa*, till he comes to the year when *VOLERO* preferred his Bill, those words do not import, that the use of *Comitia Tributa* was first introduced into the Republick in that year. If the leading men of the *Plebeians* had formed the project of bringing *Comitia by Tribes* into use, for various sorts of business, they could not have thought of a more easy and natural way of introducing such *Comitia*, than by demanding them at first, only for the electing of *Tribunes*; nothing having a greater appearance of reason, than that the *Plebeians* should be

quite free in the choice of their own proper advocates and protectors. And this I take to have been the real fact :

COMITIA TRIBUTA were introduced, under that pretence, by the Tribune VOLERO, to revenge himself amply on the *Patricians* for the affront he had received from them; and not twenty years before, by the Tribune *Sicinnus*, for the trial of CORIOLANUS, as *Dionysius* reports.

III. The many *improbabilities* and *inconsistencies*, and the long elaborate speeches in DIONYSIUS's account of the first introduction of *Comitia by Tribes*, furnish ground to suspect, that his principal aim in that account was to get an opportunity of displaying his own talent of oratory; and not to instruct his readers by a true relation of facts. Whoever peruses attentively what he has written of the dispute between the SENATE and the TRIBUNES, concerning CORIOLANUS, will, I think, observe, that there were three points in question.

I. WHETHER an *Assembly of the People* could legally take cognizance of a criminal accusation, brought against a *Senator*, or any *Patrician*?

CORIOLANUS at first declares, that he is accountable to the CONSULS only, and D. Hal. l. that he will in no instance, in nothing, [*πρὸς ἑὸν ἀρχαῖον*] submit himself to the judgment of the People. Yet, when he finds that the majority of the Senate are of a different opinion, he consents to be tried by the People; provided he be accused of nothing but the greatest of all crimes, aiming at the TYRANNY. Nay, in the end, he consents (according to *Dionysius*) to be tried on this article in an *Assembly of the People*, where the *Tribunes*, whom he had just before reviled and insulted, are to be Lords President; [and where the Consuls and *Senators* (according to some learned writers) could not be present.]

APPIUS CLAUDIUS pretends, that the SENATE is the only court where a *Patrician* can legally be brought into judgment: and, to support this opinion, he is furnished by the historian with the most senseless arguments that can be imagined.

THE CONSULS, and *Valerius*, and the majority of the Senate, have more reason and temper. They do not deny, that a *Patrician* may be brought into judgment before the People: they only insist on the necessity of a previous Decree of the Senate, authorizing the *Assembly of the People* to try and judge the accused.

2. THIS therefore was the second Point, *Whether, granting the people to have the prerogative of judging Patricians, they could legally exercise it in any particular cause without a previous SENATUS CONSULTUM, authorizing them to hear and judge that Cause.* The Consuls say, no: the Tribunes say, yes; founding their claim on the VALERIAN LAW for appeals to the People, in case of oppression by the Nobles; which law would be rendered vain if the oppressors had the power of hindering, by the refusal of a *Senatus Consultum*, the complaint from being brought by appeal before the People.

Nevertheless, the Tribunes do at length, with regard to the particular cause of CORIOLANUS, consent to ask a *Senatus Consultum*, authorizing the People to try him. This being obtained,

3. THE third point in question was, concerning the Form of the Assembly, in which the accused should be tried. But it is to be remarked, that (according to our historian) this question does not come into dispute, till the very hour when the people are assembled to hear the cause.

The Consuls and *Patricians*, perceiving the purpose of the Tribunes to have the people vote by Tribes, remonstrate against it, and make a mighty clamour. They urge the established custom of the People's voting by Centuries, on all affairs, referred to them by the Senate. Nevertheless, after some time spent in altercation, they yield the point to the Tribunes; a point of greater moment than any they had before disputed.

THE unlikelihood of these facts (not to say the falsity of the relation) would have appeared in a stronger light, if our *diligent* and *accurate* Historian had, on occasion of this his pretended Introduction of *Comitia Tributa*, declared the distinguishing privileges and properties of these *Assemblies*. But, instead of instructing us fully in those Points, he gives us a description of the *Comitia* by *Centuries*, which he had already given in his IVth Book; and of the *Comitia Tributa* says nothing but,

1. THAT in these *Assemblies* the vote of a poor man was equal in value to the vote of a rich man. And,

2. THAT *all* [the Citizens] had votes. (For this is intimated in the *Reason* he gives for thinking that in this dispute the Tribunes were more in the right than their opponents, *viz.* That the cognizance of crimes against the publick equally belonged to *all*.)

Now the *first* of these does in no wise distinguish the *Comitia Tributa* from the *Comitia Curiata*.

And the *second* seems not to be true.

Taylor's
Elem. of
Civ. Law,
p. 198.

Indeed the learned Writer, just now mentioned, speaking of a TRIBUNE's right to summon the People to the COMITIA TRIBUTA, adds, in a parenthesis, (*where the Patricians also might be present and vote, if they pleased; but could not be compelled, nor were they SUMMONED.*) And it is expressly asserted by *Lælius* (apud A. Gell. xv. 27.) That the *Patricians* were not summoned to the Councils called by the Tribunes. [Is qui non universum populum sed partem aliquam adesse jubet, non Comitia sed Concilium edicere debet. Tribuni autem neque ADVOCANT *Patricios*, neque ad eos referre ulla de re possunt: ita ne *Leges* quidem propriè, sed *Plebiscita* appellantur, quæ Tribunis Plebis ferentibus accepta sunt.] But this same *Lælius* (whoever he was) does not say, that the *Patricians* might be present and vote if they pleased. And it would seem from *Livy's* words, above cited, [*Patribus ex concilio submovendis*] that the *Senators* at least, if not *all* the *Patricians*, were absolutely excluded from the *Comitia Tributa*, when held for the election of Tribunes. *Manutius*, as to this point, speaks confidently, in his comment on the following words from *Livy*, L. I. c. 17. *Patres decreverunt ut cum populus regem jussisset, id sic ratum esset, si patres auctores fierent: hodieque in legibus magistratibusque rogandis usurpatur idem jus, vi adempta. Priusquam populus suffragium inecat, in incertum Comitorum eventum Patres auctores sunt.*

On this passage *Manutius* (cap. ix.) writes thus: Non iis Comitibus quæ *Plebeius* magistratus habebat, quæ *Tributa* dicebantur, sed iis quæ *Patricius*, hoc est *Centuriatis* & *Curatis*, patres auctores fiebant. Qui enim credibile est, auctoritate patrum *Comitia Tributa* confirmari oportuisse, cum PATRES (ut Lib. II. *Livius* docet) iis Comitibus quibus *Plebei* magistratus crearentur VOLERONIS, (Tribuni Plebis) LEGE SUMMOTI SINT? Vero igitur similis est, non de omnibus Comitibus, sed tantum de *centuriatis* & *curatis*, QUIBUS ADESSE PATRICIIS LICEBAT, *Livium* intellexisse.

We see here that *Manutius* not only is clear, as to the exclusion of the *Senators* from the *Assemblies* where the Tribunes were chosen; but, by the words *quibus adesse Patriciis licebat*, intimates, that there were *Comitia* quibus adesse *Patriciis* non licebat, and that *all* the *Patricians* were excluded from the *Assemblies* held by the *Plebeian Magistrates*, i. e. by the Tribunes and *Ædiles*.

And this is agreeable to the Definitions given of *Plebiscitum* and *Plebs* in the *Institutes*.

L. I. T. 2. PLEBISCITUM est, quod Plebs, Plebeio magistratu interrogante (veluti Tribuno) constituebat. PLEBS autem à POPULO eo differt quo species à genere: nam appellatione POPULI universi cives significantur, connumeratis etiam Patriciis & Senatoribus. PLEBS autem appellatione sine Patriciis & Senatoribus cæteri cives significantur.

BUT,

But to return to *Dionysius*. Though he gives us little instruction concerning the *Comitia Tributa*, when he first speaks of them; yet when we come to *VOLERO'S* Law for chusing the *Tribunes* in those Assemblies, he mentions two or three particulars in which *Comitia Tributa* differed from *Comitia Curiata*. A previous *Senatus Consultum* was requisite, before the latter could enter upon business; and, when they had done, their determinations could not be ratified, till, after due enquiry, it was found that neither the Gods, nor the Birds had any thing to object. But in the *Comitia Tributa*, no Decree of the Senate, no Sacrifices, no approving Birds, were necessary; and all business was dispatched in one day.

Legem promulgavit [Volero] de Electione Tribunorum, eam quidem ex Curiatis, quæ eo nomine a Romanis appellantur, in Comitia Tributa mutans. Quodnam autem sit horum Comitiorum discrimen, ego declarabo. Curiata Comitia oportebat, præcedente S. Cto, & suffragiis a Plebe curiatim latis, atque post hoc utrumque signis divinis avibusque non adversantibus, tunc demum rata esse: Tributa vero Comitia sine S. Cto, atque sine sacrificiis, nullisque avibus addicentibus, uno die a Tribulibus peragi. D. Hal. Lib. ix. p. 598. D. Tayl. Transf.

It is to be remarked, that *Dionysius*, on the present occasion, omits mentioning, not only what *Livy* intimates — the Exclusion of the SENATORS from the COMITIA TRIBUTA, — but several properties of those *Comitia*, which the Learned have enumerated, and which (if they really belonged to those Assemblies, from the time of their first institution) so diligent and accurate an Historian ought not to have passed over in silence.

Perhaps it will be agreeable to the reader, if I here insert some Extracts, from the valuable Work abovementioned, concerning the *Roman Comitia*, and the difference between *LEX* and *PLEBISCITUM*. For though the matters are, most of them, treated in the foregoing sheets, and particularly in a long Extract, from Mr. KENNET's *Roman Antiquities*, which is given in B. I. chap. vii. yet the reader will, by a repetition, here, of such particulars as I shall have occasion for, in what I have further to say on the present Question, be spared the trouble of turning back to find them: and there are, in what I shall transcribe from the valuable Work, some excellent hints and observations not mentioned any where before in this History.

- “ A FAIR account of the several sorts of Roman Law will give us a competent view of the Roman constitution. Dr. Taylor's Elem. of the Civil Law, p. 178. J. 1. 2. 4.
- “ *LEX* is, quod *Populus Romanus*, senatorio magistratu interrogante, constituit:
- “ *PLEBISCITUM*, quod *PLEBS*, plebeio magistratu.
- “ The three essential differences between *Lex* and *Plebiscitum* are,
- “ 1. The enacting Parties; *POPULUS* on the one hand, and *PLEBS* on the other.
- “ 2. The Legislator, or person proposing; a member of the Senate in that instance, and a *Tribune* in this. And,
- “ 3. (What is not expressed above) the difference of the *Comitia*, or Assembly in either case. [Of each of these in their order.]

I.

“ *POPULUS ROMANUS* — *PLEBS*.

- “ The people of *Rome*, taken collectively, was called *POPULUS*. From which p. 179.
- “ *PLEBS* differed, as *species a genere*, says *Justinian*, rather as *pars a toto*. J. 1. 2. 4.
- “ Every Roman was by birth either a *Patrician* or a *Plebeian*. The former are generally supposed to descend from the better class of citizens at the first establishment of the constitution; the sons and lineage of those whom *Romulus* called to his Council, and whom he named *Patres*, either *ab ætate*, or *ab auctoritate*.

" *ritate*. The descendents of the rest, the *Plebeii*, were for some time—excluded from all honours.—They came by degrees to share in most parts of the administration, but still continued a different class of people, with different rights and distinction of character. So that the best way of conceiving this division would be, to consider the *Patricians* and *Plebeians* as two factions in the state, blended indeed very frequently in regard to honours, rank and condition, but still separated by descent and family interests. For instance: the distribution of the *Romans* into *Senatores Equites & Plebem*, was not a distribution of species, or sort but rank, order or degree. It was a verse of *Ausonius*, I think,

" *Martia Roma triplex, Equitatu, Plebe, Senatu.*

" where *Plebeians* are not such as lately were opposed to *Patricians* (for the *Equites* were *Patricians* or *Plebeians* indifferently, and so were the Senators) but those, whose *Census* or estate was below the the *Census* required for *Equites*:

" *Si quadringentis sex septem millia desint,*

" *Plebs eris* —————

Hor. 1.
Epist. 1.
58.

" So again, when the *Romans* were divided into *Nobiles* and *Novi*, this is also a distinction of rank, not nativity, and affects not the distinction of *Patricians* and *Plebeians*. *Nobiles* were such whose ancestors had borne particular offices, whether they were *Patricians* or *Plebeians*. So that many *Plebeians* were *Nobiles*, and many *Patricians* not so. ———

p. 180.

" If it be asked, whether this distinction of *Populus* and *Plebs* be uniformly maintained, I answer, that neither in this nor in any other instance were the *Romans* such slaves to language as not to depart from some settled rules upon many occasions. Thus *Populus* (properly the whole people of *Rome* universally) is yet, in the following instance, opposed to *Plebs*, or a part of itself:

Cic. x.
Fam. 35.

" *LEPIDUS IMP. ITER. PONT. MAX. SENAT. POP. PL. Q. R. S. D.*
" And, on the contrary, *Populus* sometimes stands for *Plebs*, as distinguished from the other division of the Roman people:

Hor. 2.
Sat. 1. 69.

" *Primores Populi arripuit, Populumque tributum.*

I.

" The second difference, was the officer who made the proposal. It was a Magistrate who proposed the *Lex*: the *Plebiscitum*, a Tribune only. And as magistracies and offices among the *Romans* were pretty numerous, be it remembered, that it was one of the *Magistratus Majores*, or the Magistrates of a higher order only, such, namely, *penes quos erant majora Reip. auspicia*.

" These were either ORDINARY, as *Consul, Prætor, Censor*, or EXTRAORDINARY, as *Interrex, Dictator, Decemviri Legibus Scribendis, Trib. Mil. Cos. Pot. Triumviri R. P. C.* ———

III.

p. 183.

" The third difference between *Lex* and *Plebiscitum*, though not commonly expressed in the definitions of them, is the difference of that court or assembly; at which each of these were enacted.

" The Assemblies or *Comitia* of the *Romans*, were *Curiata, Centuriata, Tributa*. In the two former were the *Leges* enacted, in the latter the *Plebiscita*,

" COMITIA CURIATA.

" It is sufficient to understand in general, that *Romulus* divided his people into Three Tribes; and each Tribe into *Ten Curia*. During the reign of the five first Kings, the *Comitia Curiata* were the only Assemblies of the R. P. Here they chose Magistrates, enacted Laws, determined upon Peace and War, &c.

" COMITIA CENTURIATA.

" Under the former distribution, the vote of the meanest man was as effective as that of the best. *Servius* the sixth king desirous to throw the balance into the scale of the more valuable part of the people, cajoled the lower sort, by telling them, that, to ease their burden of being taxed to the exigencies of the publick in the same proportion with the rich, he desired them to bring in a true state of their condition, family, age, &c. upon oath. Having got this knowledge of his subjects, he distributes them afresh according to their substance and condition. He divides them therefore into six classes, which consisted of 193 Centuries.

" Class I. Consisted only of Senators, Patricians, and men distinguished by their worth and riches. In this class were 18 Centuries of horse, and 80 Centuries of Foot; in all 98, &c.—

" In both Assemblies, whether *Curiata* or *Centuriata*, the question was not carried by a majority of single voices, but by a majority of *Curiae* or *Centuries*.

" [Whatever was voted by a majority of the *Curiae*, was referred to the SENATE.]

" Ο, τι ταῖς πλείοσι δοξεί φεάτριας, τὸτο ἐπὶ τῇ Βουλῇ ἀμφέρετο. *D. Hal.* II. 14.

" (This *Senate* was composed of a few, and those of the better sort.—The *Comitia* was the popular Assembly of all the *Roman* citizens universally.)—

" I descend from generals and come to consider minutely the matter of *Tribes*, of *Curiae*, and of *Centuries*.

" The three *Tribes*, into which I observed *Romulus* had divided the original people of *Rome*, were either *Rhamneses*, such as came with him from *Alba*: *Tatienfes* such as came in, under *Tatius* the king of the *Sabines*: or lastly, *Luceres*, possibly that multitude that flocked in from all quarters, upon *Romulus's* invitation.

" But this division of the *Romans* into *Tribus* Τινὰς, as *D. Hal.* calls them (for it regarded the original, the stock, the descent of the constituents) did not prevail long: there ensued under *Servius* another, which was a *Local* Distribution, and which the same author accordingly calls Τοπικὴν. He divided, for instance, the city into four *Wards*, or *Regions*, which he called *Tribes* also: *Suburana*, *Esquilina*, *Collina*, *Palatina*; and denominated his people thus digested, not from the race they sprang from antiently, but the place they inhabited now. And this was also a more equal division. For the *Luceres*, besides being the more numerous, were daily increasing by a conflux of adventitious people, which the other were not.

" The division of the *Romans* into *Tribes* and *Curiae* resembles much the Athenian distribution into ΦΥΛΑΙ or *Tribes*, which were again made up of several distinct Fraternities, called by them ΦΑΤΡΙΑΙ. Vid. supr. p. 25, 29, 90.

" I would have it denoted that the subdivision of the Athenian *Tribes* was twofold; the one a civil and political one, namely δῆμοι: whereas the other of φεάτριαι partakes more of a religious nature, as there was a temple, a place of worship (φεάτριον) and also rites and sacrifices appropriated to each fraternity.—By what we can guess at this distance, the former (δῆμοι) might resemble the wards of a city in a local consideration: the latter a separation into parishes, or, perhaps, companies or fraternities, distinct in place and habitation, but united in one common interest.

" The *Roman* disposition was much of the same nature, but more simple; where the distribution into *Curiae* seems to answer both the purposes last mentioned.—

" —When we are asked, what became of the *Comitia Curiata* after the institution of the *Centuriata*, namely, when the votes of the people came to be collected not by fraternities or companies, but by a new distribution of the same people: according

- p. 187. " according to their rank, consequence, and substance.—I answer in general, they
 11. Agrar. " were still retained, as we say, *dictis causâ*, or for form's sake, possibly, *quod in iis*
 § 11. " *major esset sacrorum auctoritas*. So CICERO. *Prima illa comitia tenetis, centuriata*
 " *et tributa: curiata tantum auspiciorum causâ remanserunt*.
 " The conclusions of the *Comitia Centuriata* were still ratified here in shew,
 " this being the older and more constitutional Assembly of the two; and it was
 " easily conducted, thirty liētors or publick officers representing the thirty *Curie*.
 " And so Cicero seems to distinguish between the *vera Comitia Curciata*, and those
 Id. ibid. " *ad speciem atque ad usurpationem vetustatis per triginta liētores auspiciorum causâ*
 § 12. " *adumbrata*.—
 " It must not be forgot moreover, that in process of time the number of the
 " Tribes grew up from four to five and thirty, (the first being called *Urbanæ*, the
 " additional ones *Rusticæ*) without a correspondent enlargement of the *Curia*.
 " So that there was not a Roman who did not belong to some Tribe, and some
 " Century, but not necessarily to some one of the *Curie*.—

" For some time the Tribes*, with their *Curie*, comprehended the People of
 " Rome in one manner of distribution, and the six Classes, with their Centuries
 " in another, without any mixture or relation: but, as Sigonius gathers from
 " Livy, afterwards these two distributions were united or blended together. Which
 " may be thus comprehended, viz. by conceiving the Roman people distributed
 " (as they were) into xxxv Tribes, each Tribe into six Classes, and every Class
 " into the appointed number of Centuries. Every class, which before took in
 " all the people of Rome, of that lot, or distinction, was now broke into xxxv
 " shares according to the number of the Tribes.—

- p. 188. " It may be useful to take a short review of the manner of passing Laws at
 " Rome.—

" The person, who had a Law to propose, first wrote it over at home, and
 " shewed it his friends, before he proposed it, that there might be nothing in it
 " contrary to the form and necessary ingredients of such a proposal.

" Next followed a proclamation appointing a day to meet upon. There was
 " always a necessary interval of *Tres Nundinæ*, or twenty-seven days, between this
 " proclamation, and the day of Assembly: That the *Tribus Rusticæ*, which came
 " from Rome to market, might be acquainted with the contents of the Law.—

- p. 189. " It was not lawful to hold this court upon the very day of the *Nundinæ*; but
 " it was held commonly, upon the day after. For the *Nundinæ* were *Dies nefasti*.
 " —The same number of days was observed in summoning those *Comitia*, which
 " were held for the election of magistrates: that the candidates might have time to
 " apply, and the people to form their judgment.—

* By the Tribes, here spoken of, are meant, I presume, the four City-Tribes; that these comprehended, (not all the Roman People, as the six classes with their centuries did, but) the people who inhabited Rome, or belonged to the *Curie*; for the learned Writer has just observed, that it was not necessary that every Roman should belong to some one of the *Curie*, as it was, that he should belong to some Tribe or Century. And so when in p. 186,

he says, that, " after the institution of the *Comitia Centuriata*—the votes of the people come to be collected, not by fraternities or companies, but by a new distribution of the same People according to their rank, consequence, and substance," the like distinction is to be remembered; because the people of whom the fraternities or companies were composed, made but a part of the Assembly by Centuries.

" The

“ The same rule was observed in all causes that were heard by the People.—

“ If the proposer was of the *Magistratus Majores*, he commonly laid it before the Senate for their approbation: The Tribunes laid their *Plebiscita* before the People, without consulting the Senate.

“ When they were assembled, a crier proclaimed the Law after a clerk, that read it to him.

“ Then the proposal was supported or opposed, either by the magistrates, who had this right inherent in their office, or by private people, who had first obtained this leave from the magistrate.—

“ If any private man spoke, it was done before the magistrate spoke, that the latter might have no influence in swaying the former.

“ This was called *Legem suadere* or *dissuadere*.——

p. 190,

“ It was now the proper time for the interposition of the TRIBUNE, who by his VETO had a power of putting a stop to all business, which was called *Legi intercedere*. If nothing of this kind interfered, after some religious ceremonies, they proceeded to what was called *Sortitio*, which was thus: After the establishment of the classes and centuries, it prevailed for some time, that the centuries of the first class, which was a balance for all the rest, were called to give their votes first, which frequently determined the whole process. For, if they concurred in opinion, it was needless to take the sense of the rest.—If there was a necessity, the others were called in their order, till a majority of the centuries was obtained. This method after some continuance was altered, and the centuries not called out by any pre-eminence, but by lot. A box (*urna* or *stella*) was produced, and the names of the xxxv Tribes, upon billets or tickets, thrown in; and, the box being shaken, each tribe voted in the order, in which they were drawn out. And not only the Tribe, but the Century under that Tribe, was determined in the same method^b. For we have lately seen the centuries thrown in the Tribes, and involved in that distribution. The Tribe which was first drawn was called the *Prerogative Tribe*, and the Century in that Tribe, the *Prerogative Century*. And the person first called, *Honoris causa*, in that century, was called *Primus*.——

p. 191.

“ The lots being drawn for the Tribes and Centuries, the proposer of the law directed every man to repair to his Tribe or Century by these solemn words: SI VOBIS VIDETUR, DISCEDITE QUIRITES.

“ The votes were given for some time by word of mouth.—But about the year 614, *A. Gabinus* carried a question—That every man should vote in the election of officers, not by word of mouth, but by ballot. Two of these were given to every voter, the one inscribed *A. i. e. ANTIQVO*, the other *U. R. i. e. UTI ROGAS*. Two years afterwards, *L. Cassius Trib. Pl.*—proposed a law that such ballots should be used also in the courts of Judicature, inscribed *A. i. e. ABSOLVO*; *C. CONDEMNO*; *N. L. NON LIQUET*.——

p. 192.

“ Next to this *A. 621*, *C. Papirius Carbo* introduced them into the Comitia for the purpose we are now considering:——

“ —After the receipt of their billets, [from the *Distributores*, called also *Diribitores* and *Divisores*] they [the voters] were to proceed over an extempore stage of planks, raised on purpose, and called, from their likeness, *Pontes*; in number thirty-five, or 193, according as the Comitia were *Tributa* or *Centuriata*. From the straightness of the way I should conclude, they voted *viritim*.——

^b Mr. Kennet seems to differ from Dr. Taylor in this particular, making the *Prerogative Tribe* and the *Prerogative Century* only

to be determined by lot, the rest to be *jure vocatae*, because they were called out according to their proper places. *Vide supr.* p. 94, 95.

p. 197

" As at one end of the bridge they received their billets from the hands of the *Diribitores*, so at the other they returned them to the officers called *Rogatores*, who were placed there with boxes or urns to receive them. But as both these offices lay open to corruption,—they were sometimes chequed by inspectors, *Custodes*, placed over them; sometimes people of the first character, to prevent collusion, would execute these offices in their own person.—

" The people [the voters] after they had given their votes were immediately inclosed behind rails or *Cancelli*, set up for that purpose (to prevent confusion in the Assembly, or any foul play) and called with great simplicity, from their likeness to sheep-pens, *OVLIA*.—

" After each Tribe (or Century) had passed by, the suffrages or votes of that Tribe (or Century) which had been marked with dots or points, were cast up:— Hence in *Horace*:—*Omne tulit punctum*.— — —

p. 198.

" The power of this officer [the Tribune of the Commons] consisted in two things, *in prohibendo* and *in rogando*. In virtue of the former, he had a place in the Senate, but no vote, and by his single negative, or *Veto*, by the single *Veto* of any one of the number, all proceedings were stopt.

" In virtue of the other, *viz. Rogando*, he had a right to summon the people to the *Comitia Tributa* (where the *Patricians* also might be present and vote, if they pleased, but could not be compelled, nor were they summoned) and there propose a question, which, if it passed into a Law, was therefore called *Plebiscitum*, i. e. *Scitum Plebis*.

Festus in V.

" *Scita Plebis appellantur ea, quæ Plebs suo suffragio sine Patribus jussit, Plebei magistratu rogante.*

" For *sciscere*, *scire* &c. like *γινώσκω* of the Greeks, is the same with *statuere*.—

p. 199.

" These Laws at first bound only themselves, not the *Patricians*, and were not properly Laws, but owed their strength chiefly to compact and connivance, rather than proper authority, which they had not, *ob defectum majestatis*.

" Afterwards—they bound the whole People.—

The learned Writer gives " the history of these proceedings as they are related by some who seem [he says] to have considered them most accurately" [and he refers to *Fannius de senect.* L. L. pag. 445, as if he borrowed the history from him.]

" *A. U. C.* 260. *Secessio in Montem Sacrem*. The constitution of the Tribunitial Power, and a Decree. *Ut id ratum esset, quod Plebs ad se per Trib. Pleb. latum jussisset*, Livy II. 33^a.

" *A. U. C.* 306. A second secession in *Montem Aventinum M.* HORATIUS *Barbatus*, and *L. Valerius Potitus Coss.* the year of the abdication of the *Decemviri*. *LEX HORATIA*, ut quod *Tributum Plebs jussisset, Populum teneret*. Qua Lege *Tribunicii Rogationibus telum accerrimum datum est*, Liv. III. 55.

" *A. U. C.* 415. *Publius Philo Dictator*. A law to explain and amend the act of 306, where the word was *Populum*; *viz.* that the *Plebiscita* should oblige all the *Quirites*. Liv. viii. 12. This Dictator is sometimes call'd *Publius*, and this Law *LEX PUBLILIA*.

* [There seems to be some mistake here; for *Livy* does not mention in II. 33. nor, I believe, any where else, a Decree-made *A. U. C.* 260. *Ut id ratum esset*, &c.

A.

- " A. U. C. 467. LEX HORTENSIA. *Hortensius Dictator; Secessit in Janiculum.*
 " [Epit. Liv. lib. xi.] The *Patricians* had attempted to frustrate the *Lex Horatia*.
 " And now the people were pacified with the ratification of it, by the *Lex Hortensia*.
 " *Tribuni neque advocant Patricios, neque ad eos referre ulla de re possunt: ita re*
 " *leges quidem proprie, sed Plebiscita appellantur, quæ Tribuni Pl. feruntus accipia*
 " *sunt.* QUIBUS ROGATIONIBUS ANTE PARTIUM NON TENEBANTUR, D. NIC.
 " Q. HORTENSIIUS DICTATOR EAM LEGEM TULIT, ut eo jure, quod *Plebs* sta-
 " *tuisset omnes Quirites tenerentur,* Gell. xv. 27.
 " Q. Hortensius Dictator, cum *Plebs* secessisset in Janiculum, legem in *Esquilis* tulit,
 " ut quod ea jussisset, omnes *Quirites* teneret, Plin. xvi. 10.
 " This history is, in some parts of it, controverted by other writers.
 " Thus *Plebiscita* became Laws.——

p. 200

" To close with the

" COMITIA TRIBUTA.

- " We have seen the distinction between the *Comitia Curiata*, and the *Comitia Centuriata* of the *Romans*:—it is proper to consider the third sort, the *Comitia Tributa*.
 " The account given of each of these by a writer in *A. Gellius* stands thus:
 " *Quum ex generibus Hominum suffragium feratur, Curiata Comitia esse; quum ex*
 " *Censu & Ætate, Centuriata; quum ex regimibus & locis, Tributa,* xv. 27.
 " Forgetting therefore, that there ever were such Assemblies as the *Curiata*, we
 " find the sense of the *Roman People* ordinarily taken in that Council, which
 " *Servius* established by a digestion of his subjects according to age, quality, and
 " condition, and called it the *Comitia Centuriata*. It was in this they held the
 " elections of magistrates, the trials of offences, the deliberations about peace and
 " war; and here were all matters adjusted relating to legislation, to adoptions, and
 " to last wills and testaments. In a word, it was the *only* Assembly for transacting
 " publick business.
 " Upon this account it was never called but by the officers of the first distinction,
 " and held with very extraordinary rites and solemnities, viz. with those kinds of
 " religious services, which were appropriated to the *Patricians*, to the exclusion
 " of the other part of the subjects.
 " *Penes quos igitur sunt auspicia more majorum? nempe penes Patres. Nam plebeius*
 " *quidem Magistratus nullus auspiciato creatur. Nobis adeo propria sunt auspicia, ut*
 " *non solum quos populus creat Patricios Magistratus, non aliter, quam auspiciato, creet:*
 " *sed nos quoque ipsi sine suffragio populi auspiciato interrogem prodamus, & privatim au-*
 " *spicia habeamus, quæ isti ne in Magistratibus quidem habent,* Liv. vi. 41.

" 1. This was therefore one great and essential difference between the two Assemblies [the *Centuriata* and the *Tributa*.]——

" Hence it was, that the *Patricians* being seized of the auspices, and many religious rites, would frequently disappoint the commons (who had an interest in a bill, or a point to carry) under a pretence of religion, and make an adjournment, in order to gain time for canvassing. It was called *Obnunciare* when they reported the auspices to be unfavourable.——

" But the *Comitia by Tribes* had nothing of all this, were opened with little or no ceremony, were not disturbed by the report of any bad omens, and did not admit of adjournment.

" But other differences we find many and material.

" 2. In the one case the *Senate* was to be consulted, in the other it needed not.——

" 3. Besides the difference between *Lex* and *Plebiscitum*, CAPITAL CRIMES, and those of a higher nature, were cognizable in the *Comitia Centuriata* ONLY; in the other [the *Tributa*] the punishment never extended beyond fine and banishment.——

"4. The general sense of the people (universally) was better had, when the suffrages of every individual were equally valid. When Rome voted by her Centuries, the balance was with the better fort: and that multitude which composed her lowest Century was very rarely consulted.—

p. 202.

"The thought of this Assembly [the *Comitia Tributa*] was first struck off by the people in the case of CORIOLANUS, A. U. C. 262. The Roman Comitia we have seen to be held principally upon these three occasions.

"1. For the trial of Roman citizens.

"2. For the election of magistrates and officers.

"3. For the establishment of new laws, and the abrogation of old ones.

"When the cause therefore of CORIOLANUS came on, who was the idol of the better fort, and the aversion of the lower, it was impossible to convict him upon the plan of judicature which then prevailed. But Dionysius will speak for me."

(This brings us about again to the question which gave occasion to the making these Extracts, from the learned Writer's Treatise.)

Well, what says *Dionysius*?

He tells us in the passages ^a referred to by the learned Writer, "That early in the morning of the day appointed for the trial, a more numerous crowd of people from the country appeared in the Forum, than had ever been seen there before: That the Tribunes called them to an Assembly by Tribes, and divided the Comitium, or place of Assembly into portions by extended cords, in order to range the Tribes distinct and separate one from another: and that THEN for the first time the Roman people gave their suffrages by Tribes, the Patricians opposing it, and declaring that Comitia by Centuries ought to be held according to the ancient custom."

^a Επιστάσης δὲ τῆς τρίτης ἀγορᾶς, ὁ μὲν ἐκ τῶν ἀγορῶν ὄχλος, ὅσος οὕτω πλείονος, συνελθὼν εἰς τὴν πόλιν, ἔωθεν ἔτι κατεῖχε τὴν ἀγορὰν, εἰ δὲ Δημαρχοὶ συνεκάλεον τὸ πλῆθος ἐπὶ τὴν Φυλῆτιν ἐκκλησίαν, χωρία τῆς ἀγορᾶς περιστοιχίσαντες, ἐν αἷς ἑκάστην αἱ φυλαὶ ἐτίθειτο κατ' αὐτάς. Καὶ ΤΟΤΕ ΠΡΩΤΟΝ ἰγνόντο Ῥωμαῖοις ΕΚΚΛΗΣΙΑ κατ' ἀνδρᾶς [omnino cum Lapo & Gelenio κατ' ἀνδρᾶς] ψήφοφόρος ἡ ΦΥΛΕΤΙΚΗ· πολλὰ δὲ ἐναντιομενίων τῶν Πατρικίων, ἵνα μὴ τὸτο γένηται, καὶ τὴν Λοχίην ἀξιώτων συναγαγεῖν ἐκκλησίαν, ὥσπερ αὐτοὶ πατρίων ἦν.

Quum autem dies trinundini inflaret, turba ex agris, quanta nunquam ante, in urbem confluit, & summo mane forum occupavit, Tribuni vero plebem ad Tributa Comitia vocarunt, & Comitii loca funibus undique clauferunt, in quibus singulæ Tribus distinctæ, & aliæ ab aliis separatæ erunt futuræ. Et tunc primum P. R. Tributis Comitii virum suffragia tulit, multum reclamantibus Patribus, & impedire volentibus ne hoc fieret, atque Centuriata Comitia more patrio habenda censentibus.

And a little below :

Οἱ μὲν ὦν συναγινόμενοι Μαρκίῳ — ἔξιν καλεῖν τὴν ἀπὸ τῶν Τμημάτων ἐκκλησίαν, ὑποδραμόντες τάχα μὲν ἀπὸ τῆς πρώτης κλήσεως

ὑπὸ τῶν ἐκτῶ καὶ ἐννιήκοντα Λόχων ἀποδείξαι τὸν ἄνδρα, εἰ δὲ μήγε, ἐπὶ τῆς δευτέρας ἢ τρίτης. Οἱ δὲ Δημαρχοὶ ταῦτα ὑφωρμήθησαν καὶ αὐτοὶ τὴν Φυλετικὴν ἐκκλησίαν φέροντες εἰς τὴν ἀγορὰν, καὶ τῇ ἀρχῇ ἐκείνῃ ποιῆσαι κυρίαν ἵνα μήτε οἱ πεινῆτες τῶν πλεσίων μειονεκτώσι, μήτε οἱ Φυλετικοὶ τῶν ὀπλιτῶν ἀτιμωτέρων ἔχουσιν χάριν, μήτε ἀπερριζόμενοι εἰς τὰς ἐσχάτας κλήσεις τὸ δημοσικὸν πλῆθος ἀποκλείηται τῶν ἰσῶν ψήφων, ἰσόψηφοι δὲ καὶ ὁμότμοι πάντες ἀλλήλοις γινόμενοι, μιᾷ κλήσει τὴν ψήφον ἐπιτίγκουσιν κατὰ φυλὰς.

Marcii igitur Coriolani propugnatores—poscebant {Centuriata} Comitia, quæ ex censu fiebant; sperantes fore ut fortasse a primæ classis nonaginta & octo Centuriis, finiquis, a secunda saltē, aut tertia, absolveretur. At Tribuni hoc suspicati, & ipsi Tributa Comitia habenda esse putarunt, & id iudicium illis committendum, ut neque pauperes deteriore essent conditione, quam divites, neque Tribules minus honoratum locum quam milites graviter armati, haberent; neque Plebs in ultimas rejecta Classes a suffragiorum æqualitate excluderetur, sed æquo suffragiorum & honorum jure omnes inter se fruerentur, & pariter vocati suffragia Tributum ferrent.

When he tells us the old story: that in the *Comitia Centuriata* the Centuries of the first class, which were the majority of the whole, and which consisted of the richest citizens, always voted first, and then the Centuries of the second class, and then the Centuries of the third class, and so on; and that the lowest classes seldom voted. And that, for these reasons, the friends of *Coriolanus* were for *Comitia Centuriata*, hoping that he would be absolved by the Centuries of the first class alone, or, at least, by those of the second and third. But the Tribunes suspecting the same, were therefore for *Comitia Tributa*; an Assembly where every citizen had a vote, and all votes were of equal value.

It is this representation of the case by *Dionysius* which has led the learned Writer to say (as above) that *Coriolanus* was the idol of the better sort—and that it was impossible to convict him upon the plan of Judicature which then prevailed. But surely no Motive could be more unluckily invented by the Historian than what he has given the Tribunes for desiring *Comitia Tributa* at this time; namely, the apprehension that *Coriolanus* would be acquitted, if he were tried by the Centuries. This motive, I say, was invented without any wit, and probably for want of memory. He forgot that he had told us, in the beginning of the story, that the flaming anger of *Coriolanus* against the *Plebeians* had a particular cause, over and above the causes of anger that were common to the *Patricians* in general; that the *Plebeians* had put a personal affront upon him, when he stood candidate [not many months, perhaps not many weeks before] at the last election of Consuls. The people, that is, the *CENTURIES*, had rejected him, because of his daring enterprising spirit, and the apprehension they had of his attempting the destruction of the Tribunitian Power; and especially because they were terrified with the multitude of *Patricians* that appeared in his favour, and shewed more zeal for his promotion, than they had ever shewn in behalf of any candidate*. And this affront was before he had provoked the people by his project of starving them into a surrendry of their newly-acquired privileges.

It is plain therefore, that he was *not the idol of the better* (i. e. the richer) sort, of which the majority of the Centuries consisted; and that it was *very possible to convict him upon the plan of Judicature which then prevailed*.

The learned Writer has remarked, that “The *Patricians* and *Plebeians* were p. 179 two factions in the state, blended indeed very frequently, with regard to honour, rank and condition, but still separated by descent and family-interests.” *Coriolanus* was probably the idol of the younger *Patricians*, and perhaps of some of the elder; but, if he had been the idol of all the *Patricians*, these would have been overpowered by

* Εἶχε γάρ τινας ἔξω τῶν κοιῶν ἐκκλημάτων, καὶ ἰδίας προφάσεις νεωστὶ γινώμενας, ἐξ ὧν εὐκότως ἰδοῦσι μισοῖν τὸς δημοτικούς· ὑπατίαν γὰρ αὐτῷ μετῴντι ταῖς ἐγλήσιν γινώμεναις ἀρχαῖσι· οἷαις, καὶ τὰς πατρικίαις ἔχοντι συναγωνιζομέναις, ἐναντιωθεὶς ὁ δῆμος ἐκ εἰασοῦ δύναι τὴν ἀρχὴν, τὴν τε λαμπρότητα τῷ ἀνδρὶ καὶ τὴν τόλμῃ δι' εὐλαβείας ἔχων, μὴ τι διὰ ταῦτα νεοσιγήσῃ περὶ τὴν τῶν δημάρχων κατάλυσιν, καὶ μάλιστα δεδιὼς ὅτι συνλαμβάνει αὐτῷ πᾶσιν προθυμία τὸ τῶν πατρικίων πλῆθος, ὡς ἔστιν τῶν πόττερον, ταύτης τε ἔν τῃς ὑβρίως ἀργῇ ἵπκαρθεῖς ὁ ἀνὴρ, καὶ τὴν μεταβολὴν τῷ πολιτευματός εἰς τὸν ἐξ ἀρχῆς κόσμον ἀποκαταστήσει προθυμώμενος, &c.

Nam præter publicas criminationes, quandam etiam privatam ac novam causam habebat, ob quam plebeios merito odisse videbatur, illam videlicet injuriam recens acceptam. Proximos enim comitiis illi consulatum petenti, & patricios suffragantes habenti, Plebs adversata magistratum illum dari non est passa, quod illius viri claritatem, & audaciam suspectam haberet, ne forte propterea aliquid rerum novarum moliretur, & tribunitiam potestatem everteret; præcipue vero quod timeret Patriciorum multitudinem, quæ nulli candidato tanta animi alacritate unquam ante fecerat, quantam erga ipsum tunc demonstrarat. Ille igitur ob hanc contumeliam irâ percitus, & mutatam reipublicæ formam in pristinum statum restituere cupiens, &c.

the *Plebeians* ^a in the *COMITIA CENTURIATA*. For we may observe, that the great points which the *Commons* carried against the *Nobles*, in the early days of the Republick, were carried in *Comitia* by *Centuries*: As, particularly, *The LAW for electing the TRIBUNES in COMITIA TRIBUTA*. And the *LEX HORATIA* which gave the *PLEBISCITA*, made in *COMITIA TRIBUTA*, the Force of *LAWS* binding the whole Roman People.

Year of
R O M E
COLXXXII.

Y. of R.

304.

Y. of R.

265.

Y. of R.

278.

Y. of R.

279.

Elem. &c.

p. 201.

And doubtless it was in *Comitia Centuriata* that *Coriolanus* (in his absence) and *Menenius* (after trial) were condemned, and *Servilius*, (after trial) acquitted.

The learned Writer tells us (as we see above) that “*CAPITAL CRIMES* were “cognizable in the *Comitia Centuriata* ONLY: in the other [the *Tributa*] the punishments never extended beyond fine and banishment.” Yet, according to *Dionysius*, the *Comitia Tributa*, in the first years after their introduction, were employed in nothing, that appears, but trying *CAPITAL CAUSES*. For though *CORIOLANUS* was only *banished*, the Historian intimates ^b, that it was not for want of power in the Assembly, or want of inclination in the Tribunes, to take away his life, but because these Magistrates feared that the people would acquit him rather than come into a sentence of death against him. (And to this may be added, that perpetual banishment was a capital punishment.)

And so likewise, by the Greek Historian’s account, both *Menenius* and *Servilius* were, in *Comitia Tributa*, tried for their lives: though one was only fined and the other acquitted. And *Livy* says expressly, that *Menenius* was tried ^c for his life, and condemned, though the sentence was afterwards changed to a fine.

Now, if *Livy*’s report be true, we must agree, either that *Menenius* was not tried in *Comitia Tributa*, as *Dionysius* pretends; or that those *Comitia* took cognizance of *Capital Crimes*, which is generally denied.

BUT that the reader may the better judge what dependence is to be had on the authority of the Greek Historian, with regard to the point in question, I shall give a short summary of his account of *Coriolanus*’s affair, as far as it concerns *Comitia* by Tribes.

Vid. sup.

p. 197.

THE thought of trying *CORIOLANUS* in *Comitia Tributa* is first started by *BRUTUS* (now *Ædile*) in a private conference between him and the Tribune *SICINIUS*; and we may suppose the intention of proceeding in that method to be, for some time, a secret known only to the Tribunes and *Ædiles*.

But this secret is seemingly betrayed by *Decius*, one of the Tribunes chosen by the rest to be their speaker, in their conference with the Senate. The Tribunes had in a private meeting with the *Consuls* yielded so far to their pressing instances, as to consent to ask a *Senatus Consultum*, authorizing the people to bring *Coriolanus* into judgment before them. *Decius*’s task, therefore, is to convince the *Fathers* of the reasonableness of what is demanded. In the close of his argumentation he is made to speak of “summoning the accused to a just and legal trial, where the “whole People, divided by Tribes, may give their votes, after being sworn ^d.”

D. Hal. L.

vii. p. 451.

^a — “Εγνώσαν [οἱ δῆμαρχοι] ὡς ἐν τῇ ψήφῳ ἐστὶν ἅπαν τὸ τῆς πόλεως κράτος, ἧς αὐτοὶ κρατήσουσι πλείους ἡμῶν ὄντες.

— Cognoverunt [Tribuni] totam reipublicæ potentiam in suffragiis positam esse, quam facile obtinebunt, quod numero eos vincant. D. Hal. puts these words into the mouth of *Coriolanus*, L. vii. p. 436.

D. Hal. L.

vii. p. 469.

^b Ἀνέδωκαν οἱ δῆμαρχοι τὴν ψήφον ταῖς φυλαῖς, τίμημα ἐπιγράφαις τῇ δίκῃ φερόνῃ αὐτοῖς, κατὰ δίκης, οἷμαι, τὸ μὴ ἂν ἀλῶναι τὸν ἄνδρα, δυνάτω μὲν τὴν τιμωρίαν.

Tribuni litem exilio perpetuo æstimant, & tribus in suffragia miserunt, quia (ut existimo) verebantur ne is absolveretur, si eum morte multandum proposuissent.

^c In multa temperarunt Tribuni: quum capitis anquississent, duo millia æris damnato multam edixerunt. Liv. L. ii. c. 52.

^d Ἐπὶ δίκην αὐτὸν ἵστη καὶ νόμιμον, προκαταμένοι, περὶ ἧν ἅπαντα ἡ πολλὴς μερισθῆσα κατὰ φυλάς, ἐκέρου ἰποῖσι τὴν ψήφον.

Not to dwell on the *legal Trial*, authorized by neither *Law* nor *Custom*, the *secret*, I say, seems to be betrayed by *Decius* : but that it was only whispered or muttered to himself, and *not really discovered*, is plain.

1. First, Because in the debate, no notice is taken of it, though a much more material point, than what they dispute about.

2. Because the arguments, used on both sides, necessarily imply, That the *Trial* of the accused *before the people*, which the *Tribunes* demanded, could mean nothing but a *Trial in Comitia by Centuries*.

For with what propriety could *Decius* plead the *Law of Valerius Poplicola* for appeals to the People, if by the People was to be understood an *Assembly of the People by Tribes*? *Poplicola's Law* could regard such *Assemblies of the People* only, as were, at that time, constitutional and in use; at which time neither *Comitia Tributa* nor even *Tribunes* had ever been heard of.

And when *Valerius* (brother of *Poplicola*) makes himself advocate for the popular cause, and is represented reasoning, thus: — *As the people create the supreme annual magistrates, enact laws, abrogate laws, decree peace and war (and these are the most important affairs of the Republick)—why not suffer them also to be judges in criminal causes, and especially, when a citizen is accused of aiming at the destruction of the publick liberty?* What sense or truth is there in this discourse, if *Valerius*, by the People, did not mean the People in *Comitia by Centuries*? For to these Assemblies, and to these only, belonged the prerogatives which he mentions.

And when *Appius Claudius* challenges *Decius* to name an instance, since the *Valerian Law* was enacted, of a *Patrician* brought into judgment before the People: How extremely foolish would this challenge have been, if by the People he had meant *Comitia Tributa*, a tribunal which hitherto had not existed?

3. Because by the peculiar privilege of *Comitia Tributa*, the *Senatus Consultum*, which the *Tribunes* with so much ardor solicit for, was not necessary to the holding an Assembly of that sort; as *Dionysius* himself declares, in speaking of a *Volero's Law*; and as the learned Writer observes, in what has been cited from him.

4. Because we find that the *Consuls* and *Patricians* were surprized and disconcerted, when, on the day of trial, they perceived the intention of the *Tribunes* to make the people vote by Tribes. They are represented as warmly contesting the matter with the *Tribunes*, and yielding at last with great reluctance. And this is a clear proof, that the *Senatus Consultum*, which the *Fathers* had granted, (and which the *Consuls* are said to have read to the Assembly just before entering on the Trial) did not authorize the People to try *Coriolanus* in *Comitia Tributa*, a *Plebeio Magistratu habita*. And if so, and if *Dionysius* is to be credited, what will follow? That a most important change in the constitution of the Republick was effected, not only without a *Law*, or a *Plebiscitum*, but without so much as a *Senatus Consultum* to authorize it. Is this credible? Would the *Consuls* have dared to consent to such an innovation, without authority from the Senate, at least? Or is it probable that the Senate would have taken upon them to authorize it, without the approbation of the established legislature, the *Comitia Centuriata*?

BUT in *Dionysius's* relation there are other particulars which destroy its credit.

1. First his representing *CORIOLANUS* and his friends, as *struck dumb*, quite at a loss for an answer to a charge, known by the whole Assembly to be false. I mean the charge of his sharing the spoil which he got in the territory of *Antium*, among

* Τὰς μὲν Φρατρίδας Ἀποφροσύνας ἶδει, πρὸς
Εὐλευσάμηνος τῆς Βελῆς, &c.

Τὰς δὲ φυλατικὰς, μὴτε πρεδελισμάτος γινώ- D. I. al. L.
μέμ, &c. ix. p. 598.

his dependants and creatures *only*; whereas he distributed it among *all* his soldiers, and those soldiers were present to testify it.

2. After citing, in his fourth book, the authorities of *Fabius*, and *Cato*, and *Vennonius* (whom he calls *an author worthy of credit*) in proof, that there were thirty Tribes at least, in the time of K. *Servius Tullius*, he now speaks of twenty-one only, as voting at the trial of *Coriolanus*. This is not like a *diligent and accurate* historian; and it has puzzled the commentators. The Jesuits are fully persuaded that there were but twenty-one Tribes at this time; which they think evident from the story of the trial. *Sigonius* is of the same opinion. But *Manutius* having faith in *Fabius*, *Cato*, and *Vennonius*, and supposing *Dionysius* to have the same, declares for thirty-one: but then he is at a loss to guess, why only twenty-one voted at the trial, and is angry with *Dionysius* for not clearing up the matter. To save the historian's credit, he is willing to believe, that ten of the Tribes were hindered from coming, by the Tribunes, who suspected them of being inclined to favour the accused. M. *Dacier* speaks as if he were sure, that this was the case. Nevertheless, from what *Dionysius* himself says, no such solution of the difficulty can be admitted. For he tells us expressly that *all* the citizens were summoned to hear the cause. And one of the reasons which he gives, why the Tribunes would have the people vote by Tribes, is, that from those *Comitia* no citizen was excluded, and the vote of every the meanest *Roman* was of equal value with that of the most noble. And he adds, "That, in *this*, the Tribunes had more reason on their side, than the opponents; for that the cognizance of state-crimes belonged equally to every citizen; and that a cause, referred to the judgment of the People, ought not to be determined by a faction of the *Patricians*." [Nor, for the same reason, by a faction of the *Plebeians*, which it would manifestly be, if ten Tribes were excluded from voting, because suspected of differing in opinion from the Tribunes.]

And methinks it is time lost to seek a solution of this difficulty, unless some very zealous and able friend of the historian could find a way to make sense of what he says, after telling us, that twelve Tribes voted against *Coriolanus*, and only nine for him. He adds, "So that if two Tribes had acceded to the nine, the accused would have been absolved by the EQUALITY of votes, according to the law in that case provided." It is unlucky here, that no *supposable* different reading can reduce this passage to be an object of human understanding. What has been offered by some commentators in defence of the historian's singular manner of expressing himself, it would be inexcusable to repeat.

But now, to crown all, these *Comitia Tributa*, of which the historian has said so much, prove, at last, to be *Comitia Curiata*, if we may regard what he tells us (L. ix. p. 603.) in speaking of the contest about *Volero's* bill. He represents the Tribune *Latorius* or (*Lectorius*) putting the *Patricians* in mind of the articles of accommodation on the *Mons Sacer*; and then of "two laws, enacted, not a great while ago, by the people; one whereby the Senate were to authorize the people to try any *Patrician* they pleased, at their Tribunal; the other that the people's votes [at such trials] should no longer be taken in *Comitia Centuriata*, but in *Comitia Curiata*."

It

D. Hal. L. vii. p. 463. ^a — Προῖπον [αἱ δημαρχοί] ἡμίσαν ἐν ἣ τὴν δίκην ἡμίλλαν ἐπιστάλιν· εἰς ἣν ἈΠΑΝΤΑΣ ἰξίωσιν ἡκεν ΤΟΥΤΕ ΠΟΛΙΤΑΣ, ὡς ὑπὲρ τῶν μεγίστων διαγνησομένων.

Diem dixerunt [Tribuni] qua die finem huic iudicio imposituri erant, OMNESQUE CIVES rogarunt ut ad eam diem adf-

sent, quod de rebus maximis essent cognituri.

^b Διεξελθὼν δὲ ταῦτα τὰς νόμους ἐπιδοκίμωτο, ὡς ὁ δῆμος ἐπικύρωσιν ἔπερ πολλὰ, τὸν τι περὶ τῶν δικαστηρίων τῆς μεταγωγῆς, ὡς ἔδωκεν ἡ βελὴ τῷ δήμῳ τὴν ἐξουσίαν κρίναι ἐς ἃν αὐτοὺς δοῖται τῶν πατριῶν, καὶ τὸν ὑπὲρ τῆς ψηφιοφωρίας,

It is this passage, I believe, (for I can observe no other of the sort) which occasions *Manutius* to say, (*Cap. 2. de Com. Rom.*) *Torquet me non leviter & illud in ejusdem Dionysii libro vii. [ix.] quod Curiata Comitia non distinguit a Tributis*; nam in judicio *Coriolani* in quo *Tribus* suffragium tulisse, & ipse & *Plutarchus* tradunt, *Curias* tamen & *Curiatam Concionem* nominat:—qua ratione *Curias* admitteat, non intelligo, aliud enim esse populunt *Curiatim*, aliud *Tributim* citare, &c.

Whether *Manutius* refers to the passage which I have cited from *Lib. ix.* or not; it is plain that he has been teized and tormented by some inconsistencies of our historian, in relation to his *Comitia by Tribes*. And, I think, it is as plain, that *Manutius* was indiscreet, to let his repose be disturbed by so light a cause.

Φορίας, ὡς οὐκ ἔστι τὴν λοχίτην ἐκκλησίαν, ἀλλὰ τὴν χειράτιν ἐποίησεν τῶν ψηφῶν κυρίαν. *D. Hal. L. ix. p. 603.*

His autem commemoratis, leges ostendit quas populus non multo ante tulerat, alteram

de judiciis translatis, ut scilicet senatus potestatem populi dedisset judicandi quoscunque de patriciis vellent; alteram de suffragiis ferendis, ut non amplius penes *Centuriata*, sed penes *Curiata Comitia* suffragia esse voverit.

CHAP. XIV.

§. I. *The Romans gain some victories over the Volsci and Hernici.* §. II. *Sp. Cassius (now a third time Consul) concludes an alliance with the Hernici upon terms which displease the Senate.* §. III. *He proposes the AGRARIAN LAW.* §. IV. *The opposition of the Nobles to the passing of this law. The Consul Virginius and even the Tribunes oppose it.* §. V. *The artful conduct of the Tribune Rabuleius to draw an advantage to the People from the dispute between the Consuls.* §. VI. *Cassius to get his law passed brings great numbers of Latines and Hernici to Rome to vote for it. His Colleague orders them to leave the City.* §. VII. *The Senate, to quiet the contention, decree a Partition of the conquered lands, but defer the execution of their decree.* §. VIII. *Cassius is arraigned before the People for treason.*

§. I. **T**HE *Volsci* soon experienced a great change in their affairs by *Plut. p. 233.* the want of *Coriolanus* to command their troops. In conjunction with the *Æqui* they made a new incursion into the *Roman* territories, but the latter refusing to submit to *Attius Tullius* as their General, there ensued between these confederates a quarrel: that was followed by a bloody engagement, in which, says *Livy*, the good fortune of the *Romans* *B. 2. c. 40.* destroyed two hostile armies. The *Consuls* had notice of this event, and were posted but four miles from the field of battle, yet their cowardice *D. Hal. L. viii. p. 531.* was such, that they made no advantage of the accident, but marched back to *Rome*, where they were received by the *People* with hurtings and reproaches.

Sensible of the disadvantage of wanting skilful and courageous Captains at their head, the *Romans* chose two *Consuls*, for the next year, of known bravery and ability in war, *Aquilius Tuscus* and *Sicinnius Sabinus*: *Aqui-* *Year of R 266. Bef. J. C. 486. 23d Consulship.*

D. Hal. L. *lius* gained a victory over the *Hernici*: and the *Volsci* were totally routed^a by *Sicinnius*; their General *Attius Tullus* being slain in the battle.

Yen of §. II. TO these Consuls succeeded *Spurius Cassius* (who had been twice before in the same station, and had obtained a triumph) and *Proculus Virginius*, a man of approved courage. It fell to *Virginius's* lot to make war with the *Æqui*; but these, not being prepared for fighting, retired with their effects into their Towns; so that the Consul (who probably was not in a condition to undertake Sieges) when he had a while ravaged the open country returned with his army to *Rome*.

Twenty-fourth Consulship. *Cassius* marched against the *Volsci* and *Hernici*, both which nations took the same measures as the *Æqui*, to avoid a battle: but growing impatient of the devastations made on their lands by the Consul, they successively sent Ambassadors to him to ask peace. The *Volsci* were the first suitors. *Dionysius* tells us, that *Cassius* readily granted their request on their paying a certain sum of money and furnishing his soldiers with such cloaths and provisions as they stood in need of.

And he adds, that, laying aside the presumptuous thought of being on a foot of equality with the *Roman Republick*, they, by the treaty of peace, agreed^b to become her subjects.

The *Hernici*, thus abandon'd by their allies, sued to the Consul not only for peace, but an alliance with *Rome*, offering to submit to such just and reasonable conditions as he should prescribe. *Cassius*, after exacting a month's pay for his troops and some provisions, refer'd the Ambassadors to the Senate for the treaty of peace. The Senate decreed to admit the *Hernici* into the friendship of the *Roman People*, but left it absolutely to the Consul to adjust the conditions.

The treaty^c made by *Cassius* with these neighbours was, *mutatis mutandis*, a transcript of that concluded in his second Consulship with the *Latines*, which, that the reader may better understand the passage of the History we are upon, it may be proper here to insert.

^a *Livy* says, that in the war with the *Volsci* there was no advantage gained on either side, *cum Volscis a quo Marte discessum est*.

^b This has not the least degree of probability, as will hereafter be shewn; it is more likely that the *Volsci* disdained an alliance with the *Romans*; unless by the *Volsci* the Historian means only two cantons of them which had formerly been in alliance with the Republick.

^c The record of this treaty seems to have been preserved to the time of *Augustus*. For *Livy*, B. 2. c. 33. speaking of the bravery of *Coriolanus* in the war against the *Volsci*, the same year that this treaty was made with the *Latines*, says, that the glory of the Consul *Cominius*, who commanded in this war, was so much eclipsed by the gallant behaviour of *Coriolanus*, that if the treaty concluded with

the *Latines* by *Sp. Cassius*, in the absence of his colleague, and engraven on a pillar of brass, had not been a lasting proof that *Cominius* conducted the war against the *Volsci*, his share in that expedition would have been totally forgotten.

As to the treaty of friendship and alliance now made with the *Hernici*, (according to *D. Hal.*) in the third Consulship of *Cassius*, *Livy* says nothing of it, but tells us that *Cassius* took from the *Hernici* two thirds of their lands, and that it was afterwards objected to *Cassius* as a crime, that he had left them one third, when he might have taken all, which is totally incredible, the *Hernici*, according to his own account, not being reduced to that degree of subjection till one hundred and ninety years after this time.

“Let there be peace between the *Romans* and all the *Latine* States, while Heaven and Earth endure. They shall neither make war themselves, nor raise foreign enemies against each other, nor shall either of the contracting parties suffer such enemies to pass through their territories to attack the other. Each shall with all its forces defend the other when attack’d from abroad; and when a war is carried on at their joint expence, they shall *equally share* the spoils of the enemy between them. All disputes about private contracts shall be judged and decided in ten days, in the courts of that nation, where the contracts shall have been made. Nothing shall be added to, or rescinded from this treaty but with the consent of all the *Romans* and all the *Latines*.”

Year of
R O M E
CCLXVII.
Bef. J. C.
Four hun-
dred eigh-
ty-five.
Twenty-
fourth
Consulship

Though a treaty in this form did not import an admission of the People with whom such treaty was made, to the right of *Roman Citizenship*; yet, that by some act this right was granted to the *Latines* and *Hernici*, we learn from *Dionysius*; but it ought to be observed, that the *Jus Civitatis* was little more than an honorary title, except to those who removed to *Rome*, settled there, and conform’d to the laws and religion of the *Romans*. Such only had the right of suffrage and the other substantial privileges of the proper Citizens.

Cassius, at his return to *Rome*, demanded a triumph; and, tho’ he had no spoils nor prisoners of war to adorn it, had taken no town by assault, nor had fought any pitched battle, his demand was readily granted by the Senate; who nevertheless, *Dionysius* would have us believe, inwardly accused him of arrogance for making the request. And the same Historian represents the most ancient and most considerable of the Fathers, as suspecting the Consul of some mischievous design when they learnt from him, that by his treaty with the *Hernici* he had put them upon the same foot with the *Latines*, though they had not the same title to the favour of the Republick. Yet it seems, what piqued them most was his pride, in that, after the Senate, declining to settle the conditions of the treaty themselves, (as he desired they would do) had refer’d that matter wholly to him, he did not shew the Senate the like respect, by a second application to them, but finished the affair without their farther participation. But all these objections to the conduct of *Cassius*, if they were ever made before *Dionysius* made them, seem to have had no place at the time. The Greek Historian having resolved to adopt the improbable and ill supported tale of *Cassius’s* aspiring to be King of *Rome*, prepares his reader to give credit to it, by previously blasting the Consul’s character with the charge of inordinate pride and ambition, discovered in the instances abovementioned. But, to proceed in our story, (which, in substance, is thus related by *Dionysius*.)

§. III. THE very next day after his triumph, *Cassius*, according to custom convened the People to give them an account of his conduct in the war: and on this occasion he enumerated the services he had done the Republick in his former Consulships. He reminded the assembly that during his *first* he had in battle vanquished the *Sabines*, those rivals of

D. Hal. B.
8. p. 537.

Year of
R O M E
CCLXVII.
Bel. J. C.
Four hun-
dred eigh-
ty-five.

Twenty-
fourth
Consulship.

Rome for Empire, and reduced them to become her subjects; that in his *second* he had happily quieted the seditions at *Rome*, and had found means to prevail with those of the Citizens who in anger had made a *secession*, to return contented to their native city: and in the same magistracy had brought the *Latines*, who, tho' allied by blood to the *Roman* People, were ever jealous of their glory and power, to a firm and sincere union with them: that in this, his *third* Consulship, he had forced the *Volsci* to peace, and had engaged the *Hernici*, a great and powerful nation, near neighbours of *Rome*, and in a condition to do her great hurt and great good, to give themselves, as it were, entirely to her. He assured them, that no man had the interest of the Republick so much at heart as he had, and should always have; and concluding with promising, that by the many and great benefits he would, in a very short time, procure to the *Roman* People, he would surpass all those patriots who had been extoll'd for their popular inclinations and zeal; and with this promise, unexplain'd, he dismiss'd the assembly.

The following day, having convened the Conscrip't Fathers, whom his harangue to the multitude had fill'd with an anxious impatience to know whereto it tended, he at once declared to them his project. He said, that, as not only the liberty of *Rome*, but the empire she had acquired over other States was chiefly owing to the bravery of the *Plebeians*, he thought they well deserved that some regard should be had to their interests; and that it was but just that all the *conquer'd lands*, of which the most audacious and shameless of the *Patricians* had illegally got a possession, should be divided among those *Plebeians*, of whose victories they were the fruit. It was then,

LIV. B. 2.

C. 41.

D. Hal. B.

3. p. 538.

Cassius added farther, that to him it likewise appear'd no more than equitable, that the poor Citizens of *Rome* should be reimbursed whatever money they had paid for the corn, which *Celo*, the *Sutlian* King, had made a present of to the Republick, and which ought to have been distributed *gratis* to the People.

§. IV. WHILE the Consul was speaking, a confused noise arose in the assembly, all the senators exclaiming at once against these proposals; and as soon as he had ended, his Collegue *Virginus*, rising up, loudly accused him of purposing to kindle sedition in the Republick; an accusation in which he was supported by the oldest and most considerable of the Fathers; and especially by *Appius Claudius*. The city was presently divided into two factions, each with a Consul at its head. In the frequent assemblies that were held of the People, *Cassius* had for some time a very great majority; but at length, the Tribunes taking part with *Virginus*, the numbers on both sides came nearer to an equality. These *Plebeian* magistrates, though they plainly saw how advantageous it would be to the Commons

^a See p. 148, where the avarice and injustice of the nobles, in relation to the publick lands, are fully described.

^b *Livy* mentions this proposal as made by

Cassius, not at this time, but afterwards, to recover the affections of the People, when they began to entertain a suspicion of him, aiming at the Tyranny.

to pass the Law in question, were yet very unwilling that they should be obliged for it to a *Patrician*; and *Cassius* himself, by one part of his project, furnish'd the Tribunes with a plausible pretext for opposition. *Dionysius* is of opinion, that had his law imported no more than that the lands should be divided among the native *Romans* only, he would probably have succeeded in his enterprize; but that, to secure to himself creatures and adherents abroad as well as at home, for promoting the views of his ambition (this is the construction put upon it by the Historian) he was for admitting the *Latines*, and *Hernici*, lately made Citizens of *Rome*, to a share in the distribution; and that, to make the *Roman* People relish this part of his scheme, he insinuated to them, that it would be a means more effectually to secure them in the possession of their portion of the lands; for that those two nations being united with them in one common interest, would be a support to them in case of any after-attempt to dispossess them; and though their estates would not then be so considerable, yet it was better to have smaller estates with secure possession, than greater with uncertainty of holding them.

Year of
R O M E
CCLXVII.
B.C. J. C.
Four hundred
eighty-five.
Twenty-
fourth
Consulship

It was this article in favour of the *Latines* and *Hernici* which the Tribunes laid hold of, to defeat the whole design of *Cassius*, or rather to get the management of the affair out of his hands.

§. V. ONE day when he and *Virginius* were disputing before the People, *Rabuleius*, an artful Tribune, stepping forth, told the Assembly he had something to offer which he believed would put an end to the contest. Silence being presently made, he thus address'd himself to the two Consuls, "The law in question, does it not consist of these two articles, A distribution of the publick lands in favour of the *Roman* Citizens, and the admission of the *Latines* and *Hernici* to share with them in that distribution?" The Consuls answered in the affirmative. And you *Cassius*, continued the Tribune, are for having the People confirm both these articles, is not this your desire? It is, said *Cassius*. *Rabuleius* then asked *Virginius* whether he had any objection to the first article. *Virginius* answered that he had not, and that he only oppos'd the second. Hereupon the Tribune turning to the People, "You see, said he, that our Consuls are agreed as to the main point, which concerns your interests: let us be content with this, and leave the other article to be considered of hereafter."

§. VI. THE Assembly highly applauded this motion, so that *Cassius* not knowing what to say, and being quite ashamed of his ill success, dismissed the Assembly. He went home, and pretending sickness, staid no more abroad for some days. He spent this time in contriving new expedients to compass his point. Finding that his party grew daily weaker, he, in order to strengthen it, sent privately for a great number of *Latines* and *Hernici* to come and give their suffrages for the ratification of the law proposed in their favour. Crowds of those new Citizens immediately flocked to *Rome*; which *Virginius* observing published an edict, commanding all persons who were not settled inhabitants to de-

D. Hal. B.
3. P. 540.

Year of ROME CCLXVII. Bet. J. C. Four hundred eighty-five. Twenty-fourth Consulship.

part from the city without delay. *Cassius* opposed this edict by another, which required all persons, who were inrolled Citizens, to remain in *Rome* till the question of *the Law* was decided.

§. VII. THE Senate apprehensive lest the competition between the two factions should grow into a civil war, [and doubtless perceiving that the opposition of the Tribunes to *Cassius's* proposal was not from any dislike to it, but from their jealousy of his popularity] assembled extraordinarily to consult measures, both to quiet the present contention, and to prevent any future attempts of the Tribunes to obtain a division of the publick lands among the People.

D. Hal. B. 2. p. 541. *Appius Claudius*, who was the first called upon to give his opinion, declared himself loudly against the partition proposed. He said, that if the *Plebeians* were suffered to live in idleness at the expence of the State they would become not only useless but burthenome to it: that the State would in a short time have neither land nor money; that it would be shameful for the *Patricians*, after having accused *Cassius* of male-administration, and of endeavouring to corrupt the people by a pernicious proposal, to give a sanction to that proposal by their consenting to it, as to a thing just and beneficial to the Republick; and he begged them to consider, that should they grant the distribution demanded, the People would not hold themselves obliged to the Senate, but to *Cassius* only, who would seem to have forced the Senate to such compliance: and he then moved, that some of the most considerable members of the House might be appointed commissioners to take an exact account of such lands as belong'd to the publick; and that whatever part of them should be found to have been usurped by private persons either by force or fraud should be instantly resumed: That when the commissioners had measured these lands and mark'd them by proper boundaries, one part of them should be sold, and especially those lands about which there was any contest between private men, that the purchasers might have an unquestionable title to produce against whoever should thereafter lay claim to them: That of the remainder of those lands leases should be granted for five years, and the rents employ'd in providing corn and pay for the soldiers in time of war. He added, "It is no wonder, indeed, if the *Plebeians* had rather the publick lands should be divided among all the Citizens, than possess'd by a few, and these the most impudent of men. But the regulation which I have now proposed will hinder the People from thinking any more of the partition proposed by *Cassius*; for they will undoubtedly find it more eligible to receive corn and pay from the publick, during the campaign, than to have the property of a slip of land, which they must cultivate with the sweat of their brow, subject at the same time to pay taxes out of the produce of it, for the support of the war."

Aulus Sempronius Atratinus, who spoke next, highly applauded what *Appius* had said; adding however, that the worthy Senator had omitted some things which seem'd very proper to be consider'd. "I perceive" (said *Sempronius*) he thinks as I do, that the *Latines* and *Hernici* have

Year of
R O M E
CCLXVII.
Bef. J. C
Four hundred
ty-five.

Twenty-
fourth
Consulship.

“ have no just pretence to a share in those lands which *Rome* had conquer’d before her alliance with them ; and that each nation has an exclusive right to dispose of its own proper territory and conquests : But when this reasonable answer is given to the demand of those new Citizens, it should, in my opinion, be at the same time signified to them, that they shall have their just portion of whatever lands shall be hereafter conquer’d by our joint forces. The appointment of commissioners to take account of the publick lands, and fix their boundaries, I much approve; and I doubt not but, the *Plebeians*, when they shall see the revenue of those lands apply’d to the necessities of the State, will become more quiet and tractable. Yet I think there is one thing more which ought to be put into our decree, in order perfectly to conciliate the People to us. You remember, that when the Consul *Virginus* was asked by *Rabuleius* the Tribune, whether he had any objection to a division of the publick lands among our native citizens, he answered, *No; that his sole objection to the proposed Law was the admission of the allies to a share in the distribution.* And you know that it was this answer, which drew the Tribunes over entirely to our side, and brought the People to a temper of more moderation. How then can it suit with the honour and prudence of the Senate wholly to recede from that concession ? Must we not suppose that the People will be much more enraged by our breach of promise, than they would have been by a flat refusal at first of their request ? My opinion therefore is, that it should be given in charge to the persons, whom you shall appoint to survey the lands, to examine what portion of them it may be proper to lease out for the uses of the publick, and what portion it may be advisable to distribute among the *Plebeians*. When the commissioners have made their report, you yourselves will judge, whether the lands allotted to the People shall be divided among all the *Plebeians*, or only among those who have at present no land or very little. But with regard to these several regulations, as the magistracy of the present Consuls is near expiring, I think they should all be referred to the care of their Successors, to act therein, as they shall judge best for the good of the State. An affair of this importance is not to be adjusted in a short time. Our present Consuls, being at variance, cannot be supposed so proper judges of what is fit to be done, as those who shall come after them will be, provided (according to our hope) they live in concord.

“ I might add, that, in many affairs, *procrastination is beneficial, far from being dangerous; a single day may produce notable changes; nothing is more conducive to the welfare of a state than a good understanding between its Magistrates.* You have my advice : if any one has a better to offer, let him speak.”

The Senate unanimously approved these amendments to *Appius’s* motion, a decree was drawn up to this effect : “ That ten of the oldest Consulars should be named to measure the lands, and determine what part

D. Hal. B:
8. P. 544.

Year of “ part of them should be let to farm, and what part should be distribut-
 R O M E “ ed among the People: That with regard to the allies and the new
 CCLXVIII. “ Citizens, if any future acquisition of land should be made in a war,
 B. E. J. C. “ where they served in conjunction with the forces of the Republick,
 Four hun- “ they should have their just proportion, according to the terms of the
 dred and “ treaties concluded with them: And that the Consuls, who should be
 four “ chosen at the next elections, should name the ten Commissioners, be
 Consulship. “ charged with the care of distributing the lands, and make all the other
 “ necessary regulations.”

It is pretty evident from this *Senatus Consultum*, as well as from the clo'e of *Sempronius's* speech, that the Sexators had not the least intention to do any thing in favour of the People, with regard to the lands in question. It served however to still for the present the clamours of the poor, and put a stop to any further proceedings for passing *Cassius's* proposal into a law.

§. VIII. AND no sooner had *Quintus Fabius* and *Servius Cornelius*, the Consuls for the new year, entered upon their magistracy, than *Ceso Fabius* (brother of *Quintus*) and *L. Valerius* (nephew of the famous *Peplicola*) two very young men, but both at that time Quæstors, brought an accusation of high crimes and misdemeanours, and even of high treason against *Cassius*, before an assembly of the People.

1. The first article of their charge was, That in his second Consulship he had granted to the *Latines*, not only the right of citizenship, which was enough in reason, and what would have been sufficient to content them, but a *third* part of the booty which should be taken in any war where their forces acted in conjunction with those of the Republick.

2. That whereas it would have been a sufficient indulgence to the *Hærnici*, subdued by the Roman Arms, to take no part of their Lands from them, he had chose to put them upon the foot of Friends rather than Subjects, Citizens rather than Tributaries; and these two were to have a third of the spoils and land acquired in any military expedition: So that if the *Romans* should be desirous to reward the services of any other of their neighbours, as honourably as they did those of the *Latines* and *Hærnici*, they could not possibly do it, without relinquishing to them their own third, reserving nothing for themselves.

3. That, when he had formed a scheme for disposing of the publick lands, without the consent of the Senate or his Collegue, he attempted by force to get his *Agrarian Law* passed; a Law mischievous and unjust in a double respect: for, whereas it should have been preceded by a *Senatus Consultum*, so that the Largest (if the Senate approved it) might have been the common act of all the Fathers, he had made it the act of his sole bounty; and (which was worst of all) his law itself, by which he pretended to divide *gratis* the publick lands among the Citizens, would in reality deprive the *Romans* of their acquisitions to give them to strangers; who, though they had no title to any part of them, were to have *two thirds*.

4. That

4. That when the Tribunes would have rescinded this article, he was as deaf to their remonstrances, as he had been to the advice of his Colleague, the Senate, and all the best Citizens of *Rome*.

The Quæstors having appealed to the knowledge of the assembly for the truth of these allegations, proceeded next to their proofs of his secretly aspiring to the *Tyranny*.

THEY set forth, that the *Latines* and *Hernici* had furnished him with money, and prepared arms; and that the most audacious of their youth, flocking to *Rome*, had put themselves into his train; assisted at his dark councils; and been his instruments and agents in many particulars.

These things being proved by the testimony of a great number not only of *Roman* Citizens, but of men well born and of fair characters from the cities of the *Allies*; and the People being fully convinced that *Cassius* was guilty, they had no regard to any thing he said in his elaborate Defence. In vain did his three sons, with his other relations and friends, by the most humble supplications intercede with the assembly in his behalf: nor had the remembrance of his noble exploits, for which he had been justly raised to the highest dignities, any effect to procure his pardon.

Nay such a hatred they had to the very name of King, that they observed no moderation in their sentence against him, but would have his punishment capital. And to this they were likewise carried by another motive; for as he was the ablest General of his time, they feared lest, if they only banished him, he should prove a second *Coriolanus*.

The Quæstors after sentence pronounced, led him away to execution. This eminent Senator, who had been thrice Consul, and honoured with two triumphs, was cast headlong from the top of the *Tarpeian* Rock; and the *Patricians* had the satisfaction of destroying by the hands of the *Plæbians* a determined champion for the *Plæbian* cause.

SUCH is the account which *Dionysius* has transmitted to us of the treasonable design of *Cassius*, his measures to accomplish that design, the defeating of those measures by the joint Powers of the Senate and the Tribunes; and the arraignment, trial, condemnation, and execution of the delinquent presently after the expiration of his Magistracy. One would hardly expect, that after such a detail of the articles of impeachment, the accusers, the witnesses, the matter of their evidence, the irresistible force of it, the intercession of *Cassius's* relations in his favour, and the manner of his execution, the Historian should at last leave his Reader at liberty to reject the whole of this detail as a mere fiction. Yet this he does. He informs us, that, according to some Authors, to whom many give credit, and who were worthy of it, *Cassius* was neither try'd by the People, nor executed by their order: That no-body knew any thing of his treasonable designs, till his own father, moved by a suspicion he had entertained of him, made a strict enquiry into his conduct; that the father by his industry having discovered the whole truth, repaired to the Senate-house; that presently after, when the son by his command was come thither, he accused him before the Senators: and that when these

Year of
R O M E
CCLXVIII.
Bel. J. C.
Four hundred
eighty-four.

Twenty-
fifth
Consul p
P. 545.

D. Hist. P
P. 19

p. 546.

Year of
R O M E
CCLXVIII.
Ref. J. C.
Four hun-
dred eigh-
ty-four.

Twenty-
fifth
Consulship.

had condemned him, he took him to his own house, and there put him to death ^a.

This tradition being as well authorized as the other, and the matter of it, as our Historian observes, suiting very well with the manners of the *Romans* in those days, he thinks it ought not to be rejected as improbable; however he is of opinion, that the other is more credible, and he gives his reasons.

1. *Cassius's* house was demolished [presently after his death:] Which fact the Historian thinks well supported by another fact, namely, that, in his time, there was no house standing in the Place, where *Cassius's* house was said to have stood five hundred years before.

2. *Cassius's* goods were confiscated, and sold for the use of the publick; and part of the money so raised was employed to erect statues of brass to *Ceres*: and these facts *Dionysius* believes to be true, because, by the inscriptions upon certain statues of *Ceres*, it appeared, out of whose estate the money came that paid for them.

D. Hal. B.
8. p. 547.

Now, says our Historian, if *Cassius's* father had been living, *Cassius* would have had no property. The property of the son's house and goods would have been in the father; and the People would never have confiscated the estate of the Father for the crime of the son, especially if the father had been the accuser and punisher of his son.

“For these reasons, says he, I am more inclined to adhere to the other tradition, but I have related both, that my readers may chuse as they like.”

NOW with my readers' leave, I shall conclude this chapter with some arguments which perhaps may induce them to think, that *Cassius* was neither publickly nor privately convicted of aiming at the Tyranny, but was murdered by the Nobles either secretly, or by a mob which they excited to do it, in revenge for his honest attempt to strip them of their usurpations. And I am the more inclined to examine this matter, because I conceive that many readers must naturally carry along with them a prejudice against the *Agrograrian Law* (so often the great subject of dispute between the two orders at *Rome*) if they have first been made to believe, that the original author of it contrived it as a means to raise himself to the Tyranny.

AND first I shall observe, that the two traditions being equally authorized, and destroying one another, we have no reason from authority alone to believe either. Nor indeed does either *Dionysius* or *Livy* seem to

^a *Pliny* L. 34. c. 4. and *Florus* L. 1. c. 26. follow the tradition of *Cassius's* being condemned and put to death by his own father; and *Livy* L. 2. c. 41. speaks of it as well authorized, but thinks it more credible that he was tried and sentenced by the People. As to what *Dionysius* says of the father's accusing his son to the Senate, the *Latine* histo-

rian is wholly silent: Nor does he mention any particulars of the supposed trial of *Cassius* before the People. He seems to consider nothing as certain in this matter, but that *Cassius* was condemned by somebody in the Consulship of *Q. Fabius* and *S. Cornelius*; that is to say, that he was then killed.

prefer that which they adhere to before the other, on any account but the greater credibility of the fact.

And it unluckily happens, that the only reasons which *Dionysius* produces for thinking the publick trial more credible than the private one, are mentioned by *Livy* as arguments used in favour of the private trial, by those who adopt this tradition : For the demolition of *Cassius's* house, the sale of his goods, and the employing part of the money to erect a statue or statues to *Ceres*, are common to both traditions : And those who believe *Cassius* to have been privately put to death by his own father, cite the inscription on a statue of *Ceres* as a proof, that it was the father himself, who demolished his son's house, consecrated his goods to *Ceres*, and applied a part of the money to erect a statue to that Goddess : For, as *Livy* informs us, the inscription was this, *Given by the Cassian family* *. And indeed a statue with such an inscription seems much less absurdly employed to prove that the father gave the statue, than that the *Cassian* family was plundered by the People of the money which paid for it.

Year of
R O M E
CCLXVIII.
Bef. J. C.
Four hun-
dred eigh-
ty-four.

Twenty-
fifth
Consulship.

B. 2. c. 41.
* Ex Cassia
familia da-
tum.

It is remarkable that *Dionysius* avoids telling us expressly what the inscription was, and only says, it shewed plainly at whose expence the statue was erected.

But as to this statue, or these statues of *Ceres*, most ridiculously referred to by both sides, as proofs of what they contend for, there is a very easy way of accounting for the inscriptions upon them ; and it is amazing that it should never come into the mind of *Dionysius*, that the family of *Cassius* might probably give these statues in his second Consulship, when he performed the ceremony of dedicating the Temple of *CERES*, *Bacchus*, and *Proserpine*, which the Dictator *Posthumius* had vowed, during the *Latine* war : for that *Cassius* had this honour is related by the *Greek* historian himself in his 6th book.

D. Ital. p.
415.

We see then, that the very demolition of *Cassius's* house, and the sale of his goods, in consequence of his being convicted of treason, are facts wholly destitute of proof : For I presume that neither the void piece of ground, nor the inscriptions on the statues of *Ceres* (the only vouchers produced) afford even the smallest degree of evidence.

COME we now to the probability of the trial and condemnation of *Cassius* by the People, as represented by *Dionysius*. And, on this occasion, I cannot forbear saying, that the *Greek* Historian seems to delight in publick trials, as giving him an opportunity to make speeches for the parties concerned, and to furnish evidence in the cause. He has related at large the trial of *Coriolanus*, described his behaviour in the assembly of the Tribes, and given us the discourse he made in his defence, as things certain : Yet *Livy* (as has been before observed in the end of Chap. xiii.) without any hesitation asserts, that *Coriolanus* did not appear upon the summons from the Tribunes, and was condemned in his absence for default. And certainly this seems more probable, than that he should speak and act so much out of character, as he is represented to do by *Dionysius* : And the whole trial,

Year of
R O M E
CCLXVIII
Bef. J. C.
Four hun-
dred eigh-
ty-four.

Twenty-
fifth
Consulship.

as he has given it, is but a very lame story. Nor has he discovered any great skill in forming *Articles of impeachment* against *Cassius*.

If there be nothing to engage us to believe the facts of his publick trial and condemnation but the probability of them; and if these facts be no more probable, than that the charge brought against him by the *Quæstors*, consisted of the article mentioned by *Dionysius*; the whole is doubtless, a mere invention to blacken the author of the *Agrarian Law*. For,

1. The first article of the impeachment is, That in the treaty concluded with the *Latines*, in his second Consulship, he had been too favourable to them, in granting them, besides the right of citizenship, a *Third* of the spoils that should be taken in any war made by the joint forces of the two states. Now, whatever fault was committed in making this treaty, the Senate were as guilty of it as he; for the treaty was not made by *Cassius* alone, but by him and the Senate together. He was detained at *Rome* by the Senate, purposely to be their minister for negotiating the alliance which, at that time they were very willing to make with the *Latines*, who had lately obliged them by many extraordinary services and marks of affection, as we learn not only from *Livy* but from *Dionysius* himself.

Nor in the treaty* is there any mention of a *Third* of the spoils. The *Latines* were to have an *equal* share. Their share did not come to be only a *Third*, till after the treaty of *Rome* with the *Hernici*; and then only in case of a war carried on by the united armies of the three nations.

2. And this shews the impertinence of the argumentation which *Dionysius* puts into the Mouths of the *Quæstors* under the *second article*, which regards the *Hernici*, concerning the future inability of the Republick to reward the services of any new friends. For it is evident from the tenor of the two Treaties with the *Latines* and *Hernici*, that in all wars in which *Rome* was aided by her allies were they more or fewer, the practice then was, that each should have their share of the booty in proportion to the number of troops they furnished for the campaign.

And whereas the *Quæstors* are represented speaking of the *Hernici* as of a people *subdued*, it appears by their overtures to the Consul, as well as by the long wars they afterwards maintained against the Republick, that this was far from being their case. What they proposed to *Cassius* were peace and an alliance with *Rome* upon just and reasonable conditions.

Nor is there the least reason to believe that *Cassius*, who would enter into no treaty of peace or alliance with them, of his own authority, but referred them to the Senate, did, presently after, in virtue of his full powers, grant them the conditions complained of, without the privity and approbation of the Senate. Add to this, that the treaty was in reality a very advantageous one for *Rome*, and by which the Senate thought fit to abide. So that this second article is as ill contrived as the first.

3. The third article, which accuses *Cassius* of originally designing to exclude the other Magistrates and the Senate from any share in the glory of conferring a benefit on the people, is invented with no more wit than the foregoing. For, by the *Greek Historian's* own account, the Consul, before

* See p.
249.

before he mentioned the matter to the people, moved it in the Senate: So that if the Senate and the Magistrates would have concurred with him, they might have had their share in that glory.

And it was surely a very ill judged accusation to bring against *Cassius* before the People, that he had dared to propose, in their favour, a law which the Nobles had not approved.

And as to his designing to give, by his *Agrarian* Law, two thirds of the publick lands to the new Citizens, it is a senseless charge, unless we can suppose, that those of the *Latines* and *Hernici* who came to settle at *Rome* were twice the number of the old Citizens.

4. And if it were true, that *Cassius*, against the remonstrances of the Senate and the Tribunes, was steady in insisting, that the new Citizens should have a share in the division of the publick lands; he, in this, did but follow the constant policy and practice of *Rome*, from the foundation of the state; and to exclude those new Citizens from a share of the publick lands, in case of a distribution, would in effect have been a violation of the treaty of alliance.

CONCERNING the secret machinations of *Cassius* to attain to the Royalty, the reader sees, that from the facts pretended to be proved, supposing them true, it will not follow that the *Latines*, the *Hernici*, and the *Roman Plebeians* desired a King, or that the Consul aspired to make himself a King; and the Historian himself seems to think the evidence of the treason defective, when he represents the People as immoderately severe in sentencing *Cassius* to death.

But, is it not surprizing, that *Dionysius*, or those from whom he took his accounts, should be so well informed of the crimes whereof *Cassius* was accused, at his supposed trial, and yet know nothing, or wholly suppress what they knew of his elaborate Defence? The total silence of the ancient writers upon this head, when, from what has been observed concerning the weakness of the pretended charge, it is plain that *Cassius* had much to say, and much to the purpose, furnishes an additional argument to those that have been offered, for believing that the whole process is a mere invention, a legend, a fable, (composed by some aristocratical writer) of which the moral intended to be inculcated on the *Roman* readers is obvious.

AS to the other tradition of *Cassius's* treason being discovered by his own father, when no-body else suspected any thing of the matter, and his being executed privately by his father at home, we have already observed that, in the time of *Dionysius* and *Livy* it was a tale which (like that of the publick trial) wanted the necessary support from History or Monuments to give it a claim to credit: But as neither the *Greek* nor the *Latin* Historian have mentioned any particulars of the discovery, said to be made by the father, of his son's treasonable practices, we cannot, as in the other case, draw arguments from the pretended process itself to disprove its reality. However, I shall finish this digression with offering some reasons, why, supposing *Cassius* to have been formally accused before the People or before his

Year of
R O M E
CCLXVIII.
Bef. J. C.
Four hun-
dred eigh-
ty-four.

Twenty-
fifth
Consulship.

father, of the treason in question (which there is no ground to believe he was) it is utterly incredible that he was guilty.

The character of *Cassius* may, alone, suffice for his defence against all that is mentioned by *Dionysius*, as given in proof of the charge. Will he propose his *Agrarian Law*, he was more esteemed and honoured in *Rome* than any other Citizen. This is said by *Dionysius* himself; and if he had not said it, the History of *Cassius*, from the time that we see him first on the stage of publick life, to the day that he proposed his new law, would have evinced the superior worth and reputation of the man. Passing over his abilities, as a General, displayed in his first Consulship in the year 251, let us only consider the opinion which the publick and the wisest men had of him as a Citizen. In 255, that critical conjuncture, when the *Romans*, by the distress of their affairs, were constrained, for the first time, to have recourse to the dangerous expedient of a Dictator, and had named *Lartius* one of the then Consuls to that sovereign power on account of his known prudence and moderation, *Lartius* appointed *Cassius* to be his General of the Horse, the second dignity in the Republick.

At the time of the *secession*, when every body declined the office of Consul, the Senate constrained *Cassius* to accept it, because he was highly and equally esteemed by the *Nobles* and the *Plebeians*, and therefore well qualified to manage the business of a reconciliation; a sure mark that he had not behaved himself as a party man, or a proud man.

And though he had been a favourer of the *Plebeians* with regard to their demand of Tribunes and other securities from oppression, yet we find that this did not hinder his promotion to a third Consulship by the Centuries, where the *Patricians* had the chief influence. And the Senate's referring wholly to his prudence the conditions of peace and friendship with the *Hernici*, (which, by the way, shews the unlikelihood of his having conducted himself unworthily, or to the dissatisfaction of the Senate, in the treaty he before made with the *Latines*) and their decreeing him a triumph for his success in a war, wherein he had obtained no bloody victory, (supposing these facts, related by *Dionysius*, to be true) are cogent proofs of the great esteem and favour, in which he stood with them to the very day of his proposing the *Agrarian Law*.

There is very good reason therefore to believe that *this Proposal* was the only *Treason* that *Cassius* was guilty of.

And it is quite unimaginable, that he should make this proposal with a view to the Royalty. Could *Cassius* be ignorant of the temper of the *Roman People*? Could a man of sense ever hope to become a King by the means of those men, who needed but to be made believe, that his ambition looked that way, instantly, unanimously, and without mercy to destroy him? For such was the temper of the *Romans*, as *Dionysius* himself sets forth on the present occasion.

Nor

* For the same reason we may well reject what *Livy* reports (B. 4. c. 13.) of the plots formed by *Mælius* the Roman Knight, in the year 313, and afterwards by *Manlius* (who saved

Nor indeed does it appear that any one *Roman* ever aimed at being (under any name or title whatsoever) sovereign and perpetual Lord over his fellow Citizens, before the times of *Marius* and *Sylla*, when luxury, avarice, and corruption, having got the ascendant in *Rome*, opened the way for inordinate ambition to execute the most detestable schemes against the publick liberty.

Year of
R O M E.
CCLXVIII.
Bet. J. C.
Four hundred
eighty-four.

Twenty-
fifth
Consulship.

saved the Capitol) to raise themselves to the Tyranny. (B. 6. c. 14, & seq.) These imputations seem to have been invented merely to destroy two men, who by their compassion for the poor, and their great liberality to them, had made themselves more popular, than perhaps wise politicians thought it convenient that any man should be in a free State. It is not pretended that *Mælius* was tried and convicted. A Dictator was created on purpose to destroy him by a stroke of power. The plenty of corn which he had provided, and with which he fed the hungry Citizens *gratis*, during a famine, was a reproach on the fathers and on *Mænius* their super-intendant of provisions, for neglect of duty: and, by cutting him off as a traitor, they made to themselves a pretext for seizing his stores, and thereby shunning the trouble and expence of purchasing corn from abroad. And the People were so little persuaded of *Mælius's* treason, that they afterwards banished *Abala*, the Dictator's General of the Horse, as guilty of murder in slaying their benefactor.

As to *Manlius*, *Livy* tells us, that he could not, from any writings, satisfactorily learn who were his accomplices, nor how far his schemes went; nor could find, that, at his trial before the People, his accusers objected to him any thing that indicated a design to raise himself to the Royalty, except some seditious words, his largesses, and his false charge against the Senate of secreting the gold, which they had collected to redeem the Capitol, when *Brennus* besieged it. Nay, *Livy* is not sure that *Manlius* was tried and condemned by the People. Some Authors, he says, report that *Duumvirs* were appointed to judge him. And perhaps neither of these accounts deserve credit. *Manlius* was zealous to have the debts remitted to the insolvent poor; and that was sufficient to engage the usurious *Patricians* to contrive his murder. I conclude these observations with remarking, that the Tribunes are represented as consenting and instrumental to the destruction of *Cassius* and *Manlius*, both eminent *Patricians*, but not to that of *Mælius*, who was a *Plebeian*.

C H A P. XV.

§. I. *The People regret the death of Cassius. The Senate find means to divert them a while from the pursuit of the AGRARIAN LAW.* §. II. *The war with the Volsci breaking out afresh, the Tribune Mænius protests against any levies for the service, till something effectual be done in that affair. The Consuls, by a stratagem, get the better of his opposition.* §. III. *The Senate endeavour to obtain the Consulship for Appius Claudius. The Tribunes, to hinder it, excite such a tumult, that there is no possibility of proceeding in the election. The Republick falls into an Interregnum. Sp. Lartius, being Inter-rex, quiets the contention between the two parties.* §. IV. *Icilius, one of the Tribunes, opposes the necessary levies for a war with the Æqui and Veientes. Appius Claudius suggests a stratagem to the Senate, by which they carry their point against Icilius.*

§. I. **B**Y whatever means the destruction of *Cassius* was effected, certain it is, that the People very soon regretted the loss of him, and not without sufficient reason. For notwithstanding the late Decree of the Senate for the nomination of Decemvirs, to take account of the

Livy, B. 2.
c. 42.
D. Hal. B.
lands 8. p. 348.

Year of R O M E CCLXVIII. Bef. J. C. Four hundred eighty-four. Twenty-fifth Consulship.

lands belonging to the publick, and make a distribution of one part of them in favour of the Commons, the present Consuls took no more notice of that affair, than if no such Decree had been passed; so that the People plainly perceived they had been cheated by the Senate; and they accused the late Tribunes of having concurred in the deceit, basely betraying the cause of the *Plebeians*. The present Tribunes held frequent Assemblies upon this business, and earnestly pressed the Conscript Fathers to execute their promises. To rid the Senate and themselves from these importunities at home, the Consuls had recourse to the old expedient of a foreign war, and began to enlist soldiers for the service: but the poorer Citizens refused to give their names to be inrolled, and the Tribunes supported them in this refusal. Hereupon, the Consuls caused a rumour to be spread, that they were going to create a Dictator, and that *Appius Claudius* would be the man. This dreadful report made such an impression upon the People, that they lifted themselves without delay. *Cornelius* entered the Country of the *Veientes*, and *Q. Fabius* marched against the *Volsi*. Both Consuls had fortunate expeditions. *Fabius*, as if he meant to shew an utter contempt of the *Plebeians* and their complaints, sold all the spoils taken from the enemy, and put the money into the hands of the *Quæstors*, not giving the least part of it to his soldiers.

§. II. THO' the *Fabian* family was at this time odious to the Commons, on account of the late behaviour of the Consul *Quintus*, and his brother *Cæso*, who when *Quæstor* had been very instrumental in the destruction of *Cassius*, yet the Senate had influence enough, at the new elections, to get that same *Cæso* chosen to the Consulship, with *Lucius Æmilius*, a man entirely devoted to their faction. During the year of these Magistrates the attention of the publick was wholly employed on the war with the *Volsi* of *Antium*, from whom *Æmilius* suffered a terrible defeat with great slaughter of his men. Strengthened afterwards by a chosen body of troops which his Collegue sent to his assistance, he gained some advantage over the enemy: but as in the former action he had lost the better part of his army, he was ashamed to return to the city at the end of the Campaign; and therefore staid in his Camp till the expiration of his Magistracy. *Cæso*, who had been employed to defend the territories of the *Latines* and *Hernici*, came to *Rome* and held the Assembly for the new elections, where his younger brother *M. Fabius*, with *Lucius Valerius* (late Collegue of *Cæso* in the *Quæstorship*, and deeply concerned in the murder of *Cassius*) were raised to the Consulship by the influence of the Senate, who had engaged them to stand for it. The People would have named to that Magistracy certain Consulars who did not seek it; but the President refused to receive suffrages for any but candidates.

The new Consuls having asked some recruits to supply the place of those which had been slain, the last year, in the battle against the *Volsi* of *Antium*, the Senate passed a decree for it: nevertheless, the poor *Plebeians* refused obedience, complained of the cheat put upon them in relation to the *Agrarian Law*, and implored the protection of their Tribunes

bunes against the oppression of the Nobles. Four of the *Plebeian* Magistrates, either gained by the Senate, or, for prudential reasons, unwilling to foment contention at home, while the State was distressed by the present war, gave no heed to the clamours of the multitude: but the fifth, named *Caius Menius*, loudly protested, that he would never betray the *Plebeians*, nor suffer the Consuls to levy troops, till they had first brought the Senate's decree, for the partition of the lands, into an Assembly of the People, and had named commissioners for putting it in execution. The Consuls, to surmount this difficulty, erected their tribunal without the City, in some field near it, where the Tribune, whose power and functions were confined within the walls of *Rome*, could give them no opposition. From thence they summoned those of the Citizens whom they judged fit for the service, to come and enlist themselves. If any *Plebeian* to summoned refused to appear, orders were immediately given to demolish his farm-house and cut down his trees.

Year of
R O M E
(CLXX.
Bet. J. C.
Four hundred
eighty-two.
Twenty-
seventh
Consulship.

This unexpected exercise of the consular power had the designed effect upon the People. They now eagerly ran and presented themselves before the Consuls to receive their commands. Two armies were presently formed, one to march against the *Veientes*, the other against the *Volsci*. The Consuls, diffident of the good-will of their troops, agreed to act only upon the defensive; and *M. Fabius*, who had to do with the *Veientes*, observed the agreement: but *Valerius* came to a desperate and bloody battle with the *Volsci*, without much advantage to either side. The friends of *Valerius* at *Rome* gave out, that it was through want of affection in the soldiers to their General, he had not gained a complete victory; the soldiers in all their letters laid the fault upon the incapacity of their Leader.

D. Hal. B.
8. p. 555.

In the mean time *Rome* was alarmed with spectres and prodigies of all sorts, and these, together with the little success of the *Roman* arms, were found by the *Pontifices* to be owing to the anger of the Gods, who had been served by impure hands. *Opimia*, an unfortunate Vestal, was buried alive for incontinence, and the Gods made propitious by expiatory sacrifices.

p. 5-6.
Liv. B. 2.
c. 42.

§. III. WHEN, after the return of the Consuls to *Rome*, the Comitia were held for electing new Magistrates, a warm contest arose between the two orders. The *Patricians* were for placing at the helm certain brisk active young men, who were the most unpopular, and particularly they engaged *Appius Claudius*, (the son of that *Appius* who was looked upon as the bitterest enemy of the People) a man bold and arrogant, and very powerful by means of his numerous friends and clients, to stand one of the candidates. On the other hand, the *Plebeians* called out for some of the elder Senators, whose probity the publick had experienced, and who they believed would have no views, but the welfare of the state. Each party remained obstinate in its purpose. Whenever the Consuls convened the centuries for the election, the Tribunes, in virtue of their prerogative, by the word *Veto* dissolved the Assembly: and when the Tribunes called the People together for the same end (the first instance of their assuming this power) the Consuls, as having the sole right to preside at the election of Magistrates,

D. Hal. B.
8. p. 557.

Year of
R O M E
(CLXX.
Bet. J. C.
Four hun-
dred eigh-
ty-two.

Twenty-
seventh
Consulship.

istrates, withstood and hindered the proceeding. The *Patrician* and *Plebeian* Magistrates mutually reviled each other, and being surrounded with throngs of horheaded fellows, they grew so furious in their disputes as not to obtain from blows; nay they seemed to be just upon the point of having recourse to arms, and beginning a civil war.

The Senate, who had neither the will to yield to the People, nor the power to force them to submission, held long debates about the proper measures to be taken. Some Senators declared for naming a Dictator who, vested with sovereign and absolute authority, should expel the factious from the City, and, in case the Consuls had taken any wrong step, correct the error; and that, having restored order in the commonwealth, he should hold the Comitia, and propose the worthiest men for the Magistracy: But others (fearing, perhaps, that the People in their present temper would not submit even to the dictatorial authority, but rather run into open rebellion) thought a gentler course the more advisable, namely, to create Inter-Kings, as was practised during the regal State upon any vacancy of the Throne. The greater number of the Fathers coming into this opinion, the short-lived Magistracy was given to *A. Sempronius Atratinus*, and the powers of all the other Magistrates ceased. *Sp. Lartius*, who succeeded *Sempronius*, held the Comitia for the appointment of Consuls. It would seem that the two parties had compromised their differences, agreed upon the men who should have the fasces, and proceeded to an election, only for form sake; for they unanimously concurred in naming to the consular dignity *C. Julius Iulus*, a known favourite of the *Plebeians*, and *Q. Fabius Vibulanus*, a warm partizan of the Nobles. *Iabius* had been Consul three years before, and had * defrauded his soldiers of the spoil taken from the enemy; yet the People acquiesced in this his second promotion through the extreme joy they had in keeping *Appius Claudius* out of the Magistracy.

Year of
R O M E
CCLXXI.
Bet. J. C.
Four hun-
dred eigh-
ty-one.

Twenty-
eighth
Consulship.
D. Hal. B.
8. p. 558.
Livy, B. 2.
c. 43.

The new Consuls, after surmounting some opposition, from the discontented *Plebeians*, to the Levies, marched against the *Vientes* who had pillaged the territory of *Rome*: and this expedition, which terminated in making reprisals, was the sole exploit of their year.

These petty wars were the ordinary expedients used by the Consuls, to divert the People from their complaints, and to give them at the enemy's cost, a subsistence that might make them forget their old claims. But this same People, by thus living almost continually in arms, became still more fierce and untractable, and the first interval of peace abroad was sure to revive discord at home.

D. Hal. B.
9. p. 559.

§. IV. THE civil feuds broke out afresh at the next election of

* *Dionysius* says, that *Fabius* had not by any act disoblged the Commons in his former Consulship; but in this he makes a blunder; for he himself had told us, that *Fabius* sold the spoils, the Prisoners, every thing that he took from the *Volsci*, and put

all the money into the hands of the Quæstor, to be sent to *Rome*. And *Livy* is very express upon this part of *Fabius's* conduct, as what made him extremely odious to the People. B. 2. c. 42.

chief Magistrates. After much struggling the two parties came to an accommodation upon the same foot as the year before; each named its Consul. The People chose *Sp. Furius*; and the Senate *Cæso Fabius* *, the man, who, when Quæstor, is said to have destroyed *Cassius*.

Year of
R O M E
(CLXXII.
Bef. J. C.
Four hun-
dred eigh-
ty.

The *Æqui* and *Veientes* having renewed their incursions on the lands of the Republick, the Consuls summoned the People to take arms; a Tribune, named *Sp. Icilius*, warmly opposed the enrollments; and he loudly declared that he would make the like opposition to all the decrees that should issue from the Senate, let the matter of them be what it would, till the *Senatus-consultum*, relating to the publick lands, was put in execution; that it was just the same thing to him whether the country was possessed by foreign enemies, or by domestick usurpers. In the mean while, the *Veientes* and *Æqui* continued with impunity to ravage the territory of *Rome*. In this perplexity, *Appius Claudius* represented to the Fathers, that the Tribunitian power was formidable only by the union of the Tribunes; that as the opposition of a single Tribune, which could suspend the execution of the Senate's decrees, had the same force with regard to the resolutions of his Collegues, endeavours should be used to create a division among the Tribunes, and privately to engage some one of them to enter into the Senate's interest. This advice was approved and followed; the Senators applied themselves to gain the friendship of *Icilius's* Collegues, and they succeeded with all the four. These, when they had first attempted in vain to dissuade him from pursuing the affair of the *Agrarian Law*, interposed their *Veto*; and, by their assistance, the Consuls completed the Levies

Twenty-
ninth
Consulship.
* 2d time.
Livy, B. 2.
c. 43.

D. Hal. B.
9. P. 560.

* We must suppose that *Icilius* ceased his opposition to the Levies; otherwise his Collegues betrayed the prerogative of their own office.

C H A P. XVI.

§. I. The Troops commanded by *Cæso Fabius*, not liking their General, will not suffer him to gain any honour in the campaign. §. II. *M. Fabius* (a second time) and *Cn. Manlius Cincinnatus* are elected to the Consulate. They obtain a signal victory over the *Hetrurians*, chiefly by the bravery of the *Fabii*, who, from this time, become popular. §. III. *Cæso Fabius* (a third time) and *T. Virginus* are chosen Consuls. *Cæso* defeats the *Æqui* and *Veientes*. §. IV. The *Fabian* family undertake alone to guard the frontiers against the *Veientes*. *Cæso*, as soon as he has resigned the *Fasces* (to *L. Æmilius* and *C. Servilius*) joins the rest of his family in quality of *PROCONSUL*, a new invented dignity. §. V. The Romans carry on the war against the *Æqui*, *Volsci*, and *Veientes*. *Æmilius*, after a successful campaign against the last, is refused a triumph. He seeks to revenge himself on the Senate. §. VI. In the succeeding Consulship (of *C. Horatius* and *T. Menenius*) all *Hetruria* declares war against *Rome*. The miserable fate of the *Fabii*. The *Hetrurian Arms* prevail. But the next year's Consuls (*A. Virginus* and *P. Servilius*) give the enemy an entire overthrow.

Year of
R O M E
CCLXXII.
Bef. J. C.
Four hun-
dred eigh-
ty.

Twenty-
ninth
Consulship.
* The Vei-
entes, ac-
cording to
Livy, B. 2.
c. 43.
D. Hal. B.
9. p. 560,
561.

§. I. **F**URIUS, who conducted the war against the * *Æqui*, as he had the good-will of his soldiers, made a successful Campaign: But the troops of *Fabius*, who warred against the *Veientes*, (strengthened by great numbers of volunteers from the other *Hetrurian* States) chose rather to lose their own honour than gain him any glory. After a battle, in which they behaved themselves bravely (so long as their lives were in danger) and even routed the enemy, they refused to pursue them and take their camp, left by making the victory compleat they should procure *Fabius* a triumph at his return to *Rome*; and, not content with this, they struck their tents the following night, and began their march towards the City. The Consul, finding it impossible to govern them, put the best face he could upon the matter, sounded a retreat, and returned with them.

Year of
R O M E
CCLXXIII.
Bef. J. C.
Four hun-
dred seven-
ty-nine.

Thirtieth
Consulship.
p. 562.
* A second
time.

§. II. NOTWITHSTANDING the extreme hatred which the soldiers had thus shewed to *Cæso Fabius*, the Senators had influence enough to continue the Consulship in the *Fabian* family. *Marcus Fabius*, brother of *Cæso*, was elected to that dignity * with *Cn. Manlius*. Much depended on the wisdom and unanimity of these two Magistrates; for the Republick was now threatened by a prodigious army of *Hetrurians*, who were encouraged to the war by the divisions in *Rome*, and the spirit of mutiny that had appeared among the *Roman* soldiers in the Field.

Pontificius, one of the Tribunes, would, on this occasion, have renewed the old complaint, and hindered the necessary Levies: But the *Fathers* successively repeated the artifice of *Claudius*; and forces were raised to the number of 20000, which were equally divided between the two Consuls. They both passed the *Tiber*, and incamped near *Veii* at a small distance from each other, keeping quiet within their intrenchments. This inaction was owing to their distrust of their own soldiers, whose behaviour, the last year, was not forgotten.

p. 563.

At this time happened an accident which employed the divination of the *Augurs* who attended the Consul *Manlius*. Lightning fell upon his tent, overturned the sacred *Hearth*, damaged his arms, killed his war horse, and some of his servants. Those Diviners declared that his camp would be taken by the enemy; upon which prediction he quitted it the same night, and joined his army to that of *Fabius*. The *Hetrurians* seized the deserted camp, and, concluding that *Manlius* had carried ill fortune along with him, did not doubt but they should soon be masters of the other. They came confidently, therefore, and insulted the united armies in their intrenchments, calling them women and cowards, and daring them to come out and fight. Hereupon those very soldiers, who but a little before had plotted together not to fight upon any account, now gathering in crowds about their Generals tents, murmur'd, clamour'd, and almost mutiny'd, because they were not instantly led to battle. *Fabius* laid hold of this opportunity to reproach them with their former behaviour, and, to increase their ardour, by expressing a diffidence of their

p. 564.

Livy, B. 2.
c. 45.

D. Hal. B.
9. p. 565.

their

their courage and honour. He added, "I am determined, not to give the signal for battle before you have all sworn that you will return conquerors to Rome: you once deceived your General, but you will never be able to deceive the Gods." He had hardly ended, when a certain Plebeian named *Flavoleus*, now Tribune of a Legion, and a man in great esteem among the Troops, stepping forth, *Do you suspect us, CONSULS? Hear then the oath which I am going to take! And you, fellow-soldiers, do you follow my example!* Then, lifting up his sword, he swore by his Faith (the most solemn oath then used by the Romans) that he would never return to Rome till the enemy was vanquished. Officers and soldiers, every man in the army took the same oath; after which, the Generals no longer distrusting them, gave the signal for marching, and led them out of the Camp.

The *Hetrurians* did not decline a battle: it was fought with great obstinacy on both sides. *Manlius*, who led the right wing of the Roman army, and his Colleague's brother, *Quintus Fabius*, who commanded the left, were both killed; nevertheless the victory fell to the Romans. And it was chiefly owing to the signal bravery of the Consul *Marcus Fabius*, and his brother *Cæso*.

Marcus, at his return to Rome, declined the honours of a triumph, which had been decreed him by the Senate; so deeply he was affected with the death of his brother *Quintus*, and his Colleague *Manlius*. He solemnized their obsequies, made funeral orations on both, and, by giving to them the great praises which they deserved, secured to himself much greater; and, in pursuance of the resolution he had formed, from the beginning of his Consulship, to conciliate to his family the affections of the People, he divided the wounded soldiers among the Senators to be taken care of, assigning the greater number of them to the *Fabii*, who did not fail, on this occasion, to distinguish themselves by their humanity. From this time (says *Livy*) the *Fabii* became popular, yet not by any arts but what tended to the good of the Republick.

§. III. *CÆSO FABIVS* (that very General who the year before last had been so grossly affronted) being now, with the hearty good-will of the Commons as well as of the Nobles, raised * to the Consulship (with *T. Virginius*) postponed all other business, to attempt a speedy and perfect restoration of concord between the Nobles and the *Plebeians*, towards which there seemed already to be some advances. He was hardly entered on this Magistracy, when, in that view, he declared it to be his opinion, that the conquered lands rightfully belonged to those men whose sweat and blood they were the purchase, and earnestly exhorted the Senate to prevent any new endeavours of the Tribunes to obtain the passing of the *Agrarian Law*, by freely making an equal distribution themselves of those lands, among the poor *Plebeians*. But the *Conscrip*t Fathers rejected

* This was *Cæso's* third Consulship, and, for six years past, the consular fasces had never been out of the hands of one or other of the three brothers.

Year of
R O M E
CCLXXIV.
Bef. J. C.
Four hun-
dred seven-
ty-eight.

Thirty-
first
Consulship.
D. Hal. B.
9. P. 571.

p. 572.
Livy, B. 2.
c. 48, 49.

D. Hal. B.
9. P. 573.

Year of
R O M E
CCLXXV.
Bef. J. C.
Four hun-
dred seven-
ty-seven.

Thirty-
second
Consulship.
* A second
time.
p. 574.

his motion with scorn; and some of them went even so far as to say, that, intoxicated with too much praise, that active genius, and those quick parts, which had once distinguished him, were dulled and impaired.

He had better success in his military expeditions. He marched an army against the *Æqui*, and by the terror of his presence dispersed them without fighting. After this he hastened to the relief of the Consul *Virginus*, who, with the troops under his command, was surrounded by the *Veientes*, and, without timely assistance, must have surrendered at discretion. He delivered his Collegue out of danger, and made the enemy retire.

§. IV. NOR was this the only remarkable service that *Cæso Fabius* did the Republick in his third Consulship. The *Romans* being infested by the *Veientes* and other *Hetrurians*, who made frequent and mischievous incursions into the territory of *Rome*; and the Senate being greatly at a loss how to put a stop to them; *Cæso*, to remedy this evil, formed a project worthy of his affection for his Country. He assembled all the men of his own name and family, and proposed to them, that the *Fabii* should alone, at their proper expence and hazard, take upon them to secure the frontiers against the *Veientes*. Those generous *Patricians* gladly consented to the motion, and the affair being communicated to the Senate, was there approved and applauded. Early the next morning all the *Fabii* appeared under arms before *Cæso Fabius's* door. They were 306 in number, of different branches, but all originally sprung from the same stock. The whole City, men, women, and children, ran in crowds to see them, and made vows to Heaven for their preservation. *Marcus Fabius*, who had last year gained the battle of *Veii*, put himself at the head of the band, which was followed by about 4000 clients and vassals of the family: and he led them all to the banks of the *Cremera*, a little river which runs into the *Tiber*. There they built a fort in a steep place, surrounded it with a double ditch, and erected towers at certain distances. Their manner of making war was this: they divided their forces into four parts, of which one staid to guard the fort, while the other three marched into three several parts of the enemy's Country and pilaged it; and nothing could be more successful than their first expeditions.

In the mean time *L. Æmilius* * and *C. Servilius* were chosen Consuls at *Rome*. *Cæso Fabius* had no sooner resigned the Fasces to them, but he desired permission of the Senate to join his family. The *Conscript Fathers* readily consented; and to gain him the more respect created for him a new office. He was made *PRO-CONSUL*, a title which gave the person honoured with it a power over the troops he commanded; equal to that of a Consul; but no other authority.

§. V. THE Republick being threatened with a war on the side of *Hetruria*, and the *Æqui* and *Volsci* beginning to ravage the Country of the *Latines*, the Consuls raised three armies. *Æmilius* led one against the

Year of
R O M E
CCLXXXV.
Bet. J. C.
Four hun-
dred seven-
ty-seven.

Thirty-
second
Consulship.
D. Hal. B.
9. P. 575,
576.

Year of
R O M E
CCLXXXVI.
Bet. J. C.
Four hun-
dred seven-
ty-six.

Thirty-
third
Consulship
p. 577.

p. 578.
Livy, B. 7.
c. 50.

the *Veientes*, who were strengthened by other *Hetrurians*; *Servilius* another against the *Volsci*; and *S. Furius* (with the title of Pro-consul) the third against the *Æqui*. The *Æqui* fled at the approach of *Furius*. The *Volsci* repulsed *Servilius*, and forced him to keep within his camp. The *Veientes* were defeated by *Æmilius*, and sent a deputation to him to beg peace. *Æmilius* referred the Deputies to the Senate, and the Senate in return left it to him to settle the conditions of the treaty. Hereupon the Consul shewed the *Veientes* great indulgence. He granted them peace without taking any part of their lands from them, or exacting any money, or even demanding hostages. This proceeding highly offended the Senate, inasmuch that they rejected his request for a triumph. Nevertheless, as he was a man of merit, he was invited to employ his troops and skill in succouring his Collegue, who was embarrassed with the *Volscian* war; and, upon this condition, the *Fathers* promised to receive him again into favour. But *Æmilius*, exceedingly piqued at the refusal he had met with, instead of marching to assist *Servilius*, returned to *Rome*, disbanded his own army, and recalled that which *Furius* conducted against the *Æqui*. He then complained to the People of the proceedings of the Senate, who, he said, was dissatisfied with his having expedited the peace, for no other reason, but their desire to stave off the execution of the *Cassian* law. Thus the angry Consul conveyed his own resentment into the minds of the People; and from that time the Tribunes renewed their invectives against the Senate, and their demand of the partition of the conquered lands.

§. VI. SUCH was the situation of affairs at *Rome*, when *C. Horatius* and *T. Menenius* entered upon the Consulship. The *Fabii* still kept their post upon the *Cremera*, though after the peace with the *Veientes* they had, for some time, but little opportunity of exercising their courage. But at length it was put to a fatal trial. It has been already observed, that *Veii* was one of the twelve Lucumonies, or petty States of *Hetruria*. All the other Lucumonies being much dissatisfied with that treaty which the *Veientes* had made with *Rome*, gave them to understand, that they must either break with the Republick, or sustain a war against the rest of the *Hetrurian* powers united. The *Veientes*, in this dilemma, chose the former, and, in pursuance of that resolution, sent to the *Fabii* to require them to demolish their fort, and quit the frontiers. Hereupon hostilities were immediately renewed, and all *Hetruria* took arms against the *Romans*.

The *Fabii* had their usual success in every expedition and in every engagement, till one day they were unfortunately surprized in an ambush, out of which the most intrepid courage could not secure them a safe retreat. The *Veientes* lodged a whole army of *Hetrurians* in covered places, and posted centinels on all the eminences, to give notice, when they should sally out of their Ambush. Then they drove some herds of cattle into a plain at a good distance from the *Cremera*, as it were to feed them, under a guard that appeared to be inconsiderable. This was enough.

Year of
R O M E
CCLXXVI.
B.C. J. C.
Four hun-
dred seven-
ty-six.

Thirty-
third
Consulship.

D. Hal. B.
p. 579.

p. 580.

enough to tempt the *Fabii*; who marched out of their fort in a great body, and left no more men in it than were necessary to defend it from a surprize. They advanced in good order; and, upon their approach, the herdsmen and their guard fled. Whilst some of the *Fabii* pursued the runaways to take them prisoners, others seized the booty; and a small number of them continued drawn up in order of battle. Immediately the *Hetrurians* came out of their ambush, surrounded and cut in pieces all those who were busied in driving together the cattle, dispersed about the plain. As for those of the *Romans* who kept their ranks, and formed a regular body, they used all their efforts to gain some eminence, where, having the advantage of the ground, they might at least sell their lives dear. But in this attempt they fell into another ambush, and were quite encompassed with enemies. Nevertheless, they did not lose their courage. Drawing themselves up into a close compact body which faced every way, they renewed the fight with more vigour than ever, still bearing forwards towards a hill which they had in view. They slew many of the *Hetrurians*, disengaged themselves from the rest, and gained the top of the hill. Here they passed the night without any provisions, and still beset by an army of enemies. The next morning, those of the *Fabii* who had been left to guard the fort, being informed of the danger their relations were in, flew to their relief, leaving but a very small number behind them. As soon as the *Hetrurians* perceived them advancing in the plain, they detached against them some strong parties, which cut them all off to a man. Not long after, those who were on the top of the hill, being more pressed by hunger and thirst, than by any thing else, came down with the rapidity of a torrent, to break their way through the enemy, of whom they made a dreadful slaughter. The *Hetrurians*, astonished at their losses, ceased the fight for some hours, and offered these brave men to let them pass, if they would throw down their arms, and give their words that they would abandon the fort. But these conditions were deemed shameful by the *Fabii*; they chose rather to run the hazard of dying all together with glory, than to secure their lives by an action which the thought would reflect dishonour on their family. The *Hetrurians*, finding them obstinate, avoided a close engagement; and, for some time, only showered darts and stones upon them. But, at length, perceiving that their swords were most of them broken, and their bucklers split, they then, and not till then, ventured to attack them, man to man. The *Fabii* now desperate threw themselves with fury into the midst of the *Hetrurian* battalions, and, to arm themselves anew, snatched away the weapons of their enemies. Nay some, who lay upon the ground half dead, rose up, and came to yield their last breath in the midst of the battle. In conclusion they were all slain. The *Hetrurians* cut off their heads, and, carrying them in triumph upon the tops of their lances, shewed them to those few of the *Fabii* who had staid in the fort. The latter, at this sad sight, gave themselves up to despair. They did not stay to fight from the ramparts; but aiming only to sell their lives dear, sallied out upon the enemy, with-

without observing any order. These likewise were all cut to pieces; so that of the 306 *Fabii*, not ^a one escaped. The *Romans* gave the name of *Porta Scelerata*, or, the *Accursed Gate*, to the *Gate Carmentalis*, through which the *Fabii* had passed when they went out of the City; and the day of their defeat was ever after reckoned among the unlucky days, whereon it was forbidden to begin an important enterprize.

Year of
R O M E
CCLXXXVI.
Bef. J. C.
Four hun-
dred seven-
ty-six.

The Consul *Menenius*, who had received orders to march against the *Hetrurians*, might, if he had used dispatch, have delivered the *Fabii* in their distress. He was but thirty furlongs from the field of battle when they were cut in pieces. But, perhaps, (as it was believed by many at *Rome*) he designedly, and out of envy and jealousy, gave them up to destruction. He had incamped his army on the side of a hill, without securing the top of it. The victorious *Hetrurians*, seizing the favourable opportunity, which his want of skill afforded them, got above him, attacked him from the higher ground, gave him an entire defeat, and took his camp. Thence they advanced as far as the *Janiculum*, which overlooked *Rome*, and pitched their camp on the top of it. They then passed the *Tiber*, and in a manner blocked up the City. But then the Consul *Horatius*, who had been commissioned to act against the *Volsci*, being called home, came to a battle with the *Hetrurians* near the Temple of *Hope*, about a mile from *Rome*. The success of this action was pretty equal on both sides; but in a second, near the gate *Collina*, the Consul gained some small advantage, which revived the *Roman* courage. Nevertheless the enemy did not decamp from the *Janiculum*, and the lands having been left unsown the last year on account of the enemies irruptions, a famine began to be felt in the City. The meaner sort got together in companies, threatening to plunder the granaries of the rich; and the Tribunes encouraged their clamours and mutinies, by laying the present scarcity to the chief of the Senate. The *Conscript Fathers* did every thing possible for the relief of the poor; but the case was such, that the People must either starve, or drive the enemy farther off.

Thirty-
third
Consulship,
D. Hal B.
p. 581.

p. 582.

p. 583.

They marched out, therefore, under the conduct of their new Consuls, *A. Virginus* and *P. Servilius*, and gave the *Hetrurians* an entire overthrow; nevertheless when, by the dead bodies which were brought to *Rome* to be burnt, the Senate saw what numbers of *Romans* had perished in the action, they refused the Consuls the honour of a triumph.

Year of
R O M E
CCXXXVII.
Bef. J. C.
Four hun-
dred seven-
ty-five.

^a *Livy*, following some more ancient Historians, says, that only one of the name was left at *Rome*, a youth not fourteen years of age, who afterwards repaired the family, and perpetuated it; a mere fiction, according to *Dionysius*, and without any shadow of probability: for it is not to be imagined, that of so considerable a number of men one

only had children; and we shall find, ten years after this time, that is, in 286 of *Rome*, a *Fabius* in the Consulship.

N. B. According to *Dionysius* there was a different account of the destruction of the *Fabii*, but he rejects it with contempt as wholly incredible.

Thirty-
fourth
Consulship,
p. 584,
585.

C H A P. XVII.

§. I. *Men'nius, one of the last year's Consuls, is cited by The Tribunes to appear before the People, and answer for his conduct in relation to the Fabii. He is condemned in a fine. §. II. His successor Servilius is prosecuted as soon as he has resigned the fasces, but is honourably acquitted. War is carried on with success against several of the neighbouring States. §. III. The Consuls, L. Æmilius and Vopiscus Julius, are publickly called upon by the Tribune Genucius, to name the Commissioners for the Partition of the Lands. Finding that the Consuls shun meddling in that affair, he begins a criminal process against their predecessors Manlius and Furius, for having neglected the naming of these Commissioners. The trial is prevented by the sudden death of Genucius.*

Year of
R O M E
ccclxxvii.
Bef. J. C.
Four hun-
dred seven-
ty-five.

Thirty-
fourth
Consulship.
D. Hal. B.
9. p. 586.
Liv. B. 2.
c. 52.
D. Hal. B.
9. p. 587.

§. I. **P**EACE abroad, and plenty in the City, being restored, the civil feuds, in relation to the *Agrarian Law*, presently revived. The Tribunes, not able to carry their point against the body of the Senate, turned their rage against some particular Senators, who had opposed their pretensions. Thus *Menenius* (the son of *Menenius Agrippa*) was accused before the People, by the Tribunes, *Q. Cœdicius* and *T. Genucius*, of having connived at the destruction of the *Fabii* when he might have prevented it. He was tried for his life; and neither the earnest solicitations of the *Patricians*, nor his own merit, nor the remembrance of his Father's, could save him from being condemned by the People almost unanimous. The Tribunes, however, changed the penalty to a fine of 2000 *Asses* in money, [about six pounds sterling] a very exorbitant sum (says *Dionysius*) if we consider, that in those times men [of the first rank] earned the necessaries of life by the labour of their hands; and that *Menenius's* sole patrimony was his Father's poverty. His friends would have paid the fine for him, but he would not suffer it. Unable to support his disgrace, he shut himself up in his house, where grief and vexation threw him into a distemper that soon put an end to his life.

Liv. B. 2.
c. 52.
Year of
R O M E
ccclxxviii.
Bef. J. C.
Four hun-
dred seven-
ty-four.

Thirty-
fifth
Consulship.

§. II. **T**HE Tribunes fell next upon *Spurius Servilius*, who had succeeded *Menenius* in the Consulship, and had gained the late victory over the *Ætrurians*. Scarce had he resigned the fasces to *P. Valerius* and *C. Nautius*, when a criminal process was commenced against him by the Tribunes *Cœdicius* and *Staius*, for having lost the flower of his army in that action, by pursuing the enemy too far, and rashly attacking their intrenchments; and they produced both officers and common soldiers to witness the temerity of the General, and the fatal consequences of it. This was the crime pretended by the Tribunes. Perhaps the real and only crime both of him and of *Menenius* was the having omitted, during their

their Consulships, to name Commissioners for making the desired partition of the lands.

Year of
R O M E
ccxxxviii.
Bef. J. C.
Fourhun-
dred fe-
venty-
four.

Servilius did not endeavour, like *Menenius*, to ward the stroke by deprecations, or by employing the intercession of the *Fathers*, but, when he came to his trial, relying on his innocence and the good-will of the People, he thus addressed them: "If, *Romans*, I am summoned to this tribunal, to give an account of my conduct in the late war, I am willing and prepared to do it. But, if you have already pronounced Sentence against me, and I am brought hither only to be delivered up to the executioner, to what purpose should I say any thing in defence of my actions? Here is my body; do with it what you please." He said no more; and for a few moments there reigned a perfect silence in the Assembly: but the multitude calling out to him, to take courage and say what he pleased, he then proceeded to a justification of his conduct in all its parts, exposed the unreasonableness of expecting great and important victories over powerful enemies without considerable loss of men to the Conquerors; and in conclusion bitterly reproached both the Tribunes and the People with their condemnation of *Menenius*, and with his death, the destruction of a man, whose father had procured them those very Magistracies and laws by which they were enabled to be so wantonly cruel.

Thirty-
fifth Con-
sulship.
D Hal. B.
9. p. 587.
& seq.

The noble confidence of the accused, together with the testimony of his Colleague *Virginius*, who highly extolled his conduct in the battle, and ascribed to him all the glory of the success, dispersed the storm that threatened him; and this the more easily, as the People were now heartily ashamed of the sentence they had passed against *Menenius*. *Servilius* was unanimously acquitted; and he soon after not only cleared his character from all blemish, but added a new lustre to it. A notable victory which the Consul *Valerius*, in this same year, obtained over the *Hetrurians* and *Sabines*, was imputed chiefly to the bravery and conduct of *Servilius*, who had served in quality of his Lieutenant.

Livy. B. 2.
c. 52.
D. Hal. B.
9. p. 591.
& seq.

A. Manlius, who, with *L. Furius*, was raised to the Consulate for the new year, led the victorious army against the *Veientes*. But these enemies durst no longer appear in the field. They shut themselves up in *Veii*, where, being soon straitened for provisions, they sued for peace. The Senate, to whom the Consuls referred their Deputies, granted them a truce of forty years, and, in reward of *Manlius's* successful, but unbloody expedition, they decreed him the honour of an ovation.

Year of
R O M E
ccclxxxix.
Bef. J. C.
Fourhun-
dred fe-
venty-
three.

And now the Tribunes with much warmth renewed their pursuit of the great affair; nor did the condemnation of *Menenius*, nor the danger of *Servilius* deter *Manlius* and *Furius* from opposing with all their might the measures of the *Plebeian* Magistrates, for which opposition they were impeached very soon after they had resigned the fasces to *L. Æmilius** and *Vopiscus Julius*.

Thirty-
sixth
Consul-
ship. p.
594. Li-
vy, B. 2.
c. 53.
* A third
time Con-
sul.

Year of
R O M E
CC. LXXV.
Pct. J. C.
Four
hundred
seventy-
two.

Thirty-
seventh
Consul-
ship.
D. Hal. B.
9. p. 595.

§ III. *CN. GENUCIUS*, one of the Tribunes, a daring enterprising Man, and no bad speaker, called upon the new Consuls to name Commissioners for executing the Senate's decree, in relation to the public lands. *Emilius* and *Julus*, to elude this demand, alledged, that the *Senatus-consultum* in question did not regard them; that they had not been charged with the distribution of the lands; that the decree regarded those Consuls only to whom it was addressed, the immediate successors of *Cassius* and *Virginus*; that the *Senatus-consulta* were not permanent laws, nor of force any longer than during the Magistracies of those to whom their execution was committed.

The Tribune, enraged at this evasive answer, would gladly have attacked the Consuls directly; but as he foresaw it would be no easy matter to ruin them, while actually invested with the Sovereign Power, he turned his resentment upon *Manlius* and *Furius*, whose offices were but just expired. He cited them before the assembly of the People, to answer for their injustice in having neglected to name Commissioners for distributing the conquered lands pursuant to the Senate's decree: he said, the only way to engage the present Consuls to execute that decree was the letting them foresee, by the punishment of their predecessors, what would be their own fate if they neglected their duty: and having sworn by all that was most sacred, that he would not desist from the prosecution, he named a day for the trial.

Livy, B.
2. c. 54.

Manlius and *Furius*, though they went about humbly soliciting the favour of the *Plebeians*, yet, by artful discourses to the younger Senators, endeavoured to engage these to defend them against the *Plebeians* by ways of violence. They exhorted the young men "never to aspire to the Consular Fasses, the Robe of Magistracy, or the Curule Chair; which, they said, would be only the decorations of their funeral: That a Consul was now but a Serjeant of the Tribunes to execute their will; and in case any Consul found himself inclined to exercise his proper authority, or to assert that of the Senate, he would do well to set before his eyes the banishment of *Coriolanus*, and the death of *Menenius*."

The Senators, inflamed by these speeches, no longer held public but private Councils; in which it was determined absolutely to rescue the accused; and, of many wicked expedients proposed, the most audacious and most wicked was the most approved.

When the day for the trial came, *Genucius* did not appear in the Forum. It was imagined at first, that the *Patricians* had found means to deter him from his purpose, and that he had deserted the cause: but presently some, who had been waiting at his door, brought word that he was found dead in his bed. The *Plebeians* on this report, like soldiers whose General is slain, immediately dispersed themselves; and the Tribunes were of all the most terrified; finding by the example of their Collegue, that the law, which made their persons sacred, gave them no security. On the other hand, the *Patricians* exulted in a most extravagant manner. None of them seemed sorry for what had happened. Nay, those

those who had not been even accomplices in the murder, affected to be thought principals ; and it was openly said, that the Tribunician Power ought by such methods to be kept down *.

Year of
R O M E
CCCLXXX.
Bef. J. C.
Four
hundred
seventy-
two.
Thirti-
seventh
Consul-
ship.

* This is *Livy's* account. *Dionysius* (B. 9. p. 596.) makes the death of *Genucius* to have happened the day before that which was appointed for the trial. He adds, that the Tribune's body being exposed to public view in the Forum, and there being on it no marks

of poison or other violence, a notion prevailed universally, that his death was a stroke from the Gods, who disapproved his enterprise : whereupon the prosecution was dropped ; and the Tribunes became quiet with regard to the *Agrarian Law*.

C H A P. XVIII.

§. I. *The haughty and imprudent behaviour of the Consuls after the Death of Genucius, in relation to P. VOLERO. The People rise ; and the Consuls hide themselves.* §. II. *VOLERO is chosen a Tribune of the People. He proposes a Law for electing the Tribunes in Comitia by Tribes. The Disputes on this Head are interrupted by a Plague.* §. III. *The Senate get the Consulship for Appius Claudius and T. Quinctius. These differ about the means to defeat VOLERO's project.* §. IV. *VOLERO reacts the proposal of his Law in an Assembly of the People. Quinctius, by soft words, disposes the People to reject it : But Appius, by a Speech, full of pride and heat, ruins the effect of what his Collegue had said. The Tribune Lætorius orders Appius to be led to prison. A scuffle ensues. Night puts an end to the Disorder.* §. V. *The tumult is renewed the next morning. Quinctius by prudent management quiets it, and prevails with the Senate to let VOLERO's Law pass.*

§. I. **T**HE Consuls, flushed with this ill-gotten victory, and resolving to make the People feel their power, began now to use an extreme and (at this time) most imprudent rigour in raising soldiers for the war. Whatever Citizen did not appear, upon the summons, to give in his name, was sure to be severely punished, right or wrong, and some they even caused to be whipped by the lictors. Not in all these proceedings did they meet with any Opposition from the Tribunes, confounded and struck mute by what had happened to *Genucius*.

Wrathful murmurings (the prelude to revolt) presently arose among the *Plebeians*, more provoked by the silence of their own Magistrates, than the tyranny exercised by the Consuls, “ That their liberty was gone : That “ the Tribunician authority had expired and been buried with *Genucius* : “ That the Commons, deprived of all assistance, must now themselves “ provide for their defence against the Nobles ; and that this was not very “ difficult to do : That, though the Consuls were attended by 24 Lictors, “ these Lictors were all *Plebeians* : That imagination only made the consular Power formidable : That nothing was in reality weaker or more “ contemptible, if men would but learn to despise it.”

Year of
R O M E
cclxxx.
Bel. J. C.
Four
hundred
seventy
two.

Thirty-
seventh
Consul-
ship.
Liv. B.
2. c. 55.

D. Hal. B.
9. P. 597.

p. 598.

Livy, B.
2. c. 56.
Year of
R O M E
ccxxx.
Bel. J. C.
Four
hundred
seventy-
one.

Thirty-
eighth
Consul-
ship.

While with such speeches the People were exciting one another to resistance, the Consuls summoned a certain *Plebeian* named *Publius Volero*, who had been a Centurion, and was esteemed a good officer, to enlist himself for a common soldier. The young man, full of spirit, boldly refused. Instantly the Consuls sent a Lictor to seize him.---*Help me, TRIBUNES!* cried out *Volero*.---The Consuls, seeing no-body come to his aid, bid the Lictor dispatch, tear off his cloaths, and scourge him. *Volero* checked the haste of this officer by a blow on his face that knocked him down: and then, turning to the Consuls, he said, *Since our Tribunes had rather see a Roman Citizen scourged in their presence, than be themselves murdered in their beds by you, I APPEAL TO THE PEOPLE.* All the Lictors were now commanded to fall upon him at once; but, he getting into the thickest of the crowd, and calling out aloud, *I appeal to the People; I implore your aid; assist me, Citizens! assist me, fellow-soldiers! no protection is to be expected from the Tribunes; they themselves have need of your protection;* the multitude with a desperate fury attacked the Lictors, beat them, broke the fasces, and made the Consuls experience, that authority without strength is a vain thing: They were forced to fly for refuge to the Senate-house. Hither they summoned the *Fathers*, and complained to them of the audaciousness of *Volero*, and the insolent violence of the People. On the other hand, the Tribunes, who had hitherto been quiet, began now to make a mighty noise; they demanded justice upon the Consuls, for that, in contempt of the *Lex Valeria*, and of an appeal to the People, they had ordered to scourge a Citizen, a *Roman* of free condition, as if he had been the vilest slave: A new subject of fierce dispute between the two orders in the Republick: But the elder and wiser men of the Senate, not thinking it prudent to contend with the head-strong rashness of the Commons, prevailed with the rest of the *Fathers* to drop their resentments; and so the tempest subsided for the present.

§. II. *VOLERO*, fearing the Power of the Consuls, and knowing that the Tribuneship, if he could get it, would be his best Security against their fury, stood for the office of Tribune. To engage the voices of the People in his favour, he boasted publicly, that, if ever he were invested with that Magistracy, he would take such methods, that the *Plebeians* should never more be oppressed by the Nobles. The multitude readily granted him their Votes; and he entered upon the exercise of his office in the Consulship of *L. Pinarius* and *P. Furius*. It was universally expected, that, to revenge himself on the last year's Consuls, who had treated him so ill, he would immediately commence a prosecution against them before the People; but he soon discovered, that, though a man of mean birth and education, he was capable of views far more extensive and important to the interest of his Party, than a mere personal revenge. Without letting fall so much as one disrespectful word against the late Magistrates, he turned his force against the whole body of the *Patricians*, and undertook to deprive them of the influence they had in the election of the Tribunes of the People.

The Tribunes had hitherto been chosen in *Comitia* by *Curia*. As those Assemblies consisted only of such Citizens as resided in Rome, or belonged to the thirty *Curia*, VOLERO thought (or pretended to think) that the Senators, by the multitude of their friends, clients, and immediate dependents, had a greater influence there, than was consistent with the people's intire liberty of chusing their own protectors. Moreover, it was the prerogative of the Senate to give a previous consent, before those Assemblies could be held, and none but *Patricians* could preside in them. Nor was this all; for the Augurs, before any thing could be validly done, were to declare that the Auspices were favourable. Now it often happened, that these ministers of religion, *Patricians* by birth, did, to serve the interest of their order, either put off the holding of the *Comitia*, or annul the election of such Tribunes as were very obnoxious to the Nobility, under pretence that the omens were inauspicious.

Volero moved, therefore, that for the future the election of the Tribunes should no longer be in *Comitia Curiata*^b, but in *Comitia Tributa*; Assemblies

^a In what Mr. Vertot says on this occasion, and on some others, of the difference between the several sorts of *Comitia*, he seems to be defective in the manner of expressing himself. He commonly tells us, that in the *Comitia* by *Tribes* and by *Curia* every man's vote was taken singly (*qu'on recueille les voix par tête*) but that in the *Centuriate Comitia* the voices were counted by Centuries. From which way of speaking one would be apt to imagine, that in the two first named sorts of *Comitia* all affairs were decided by the majority of the Citizens assembled. But this was not the case. No question whatsoever was decided in any of the three sorts of Assembly by the plurality of single votes. The opinion of the plurality of the Citizens in each *Curia*, *Tribes*, and *Century*, determined the sense of that *Curia*, *Tribes*, and *Century*. But it was the majority of the *Centuries*, of the *Tribes*, or of the *Curia*, that decided the question in debate. And though, perhaps, it never happened, it was very possible to happen, that in the *Comitia* by *Tribes*, and by *Curia*, as well as in those by *Centuries*, a great majority of single voices should lose their point. For example; in the affair of *Coriolanus*, nine *Tribes* only voted for him, and twelve against him; he was therefore cast. Nevertheless, it does not hence follow, that the majority of the Roman Citizens were against him. For, if in each of those nine *Tribes* which voted for him, the Citizens were unanimous, and if in each of those twelve which

voted against him, the Citizens were divided, and only a bare majority against him, it will hence follow that he must have had a very great majority of single voices in his favour, notwithstanding his being condemned.

^b The words of *Dionysius* are—*συναγαγόντων δὲ τὸν δῆμον εἰς ἐκκλησίαν, νόμον εἰσφέρει περὶ τῶν δημαρχικῶν ἀρχαιρεσιῶν, μετὰ τὸν αὐτὰ ἐκ τῆς φεατρικῆς ψήφισφροίας, ἣν οἱ Ῥωμαῖοι κυρία τὴν καλῶσιν, ἐπὶ τὴν φυλετικὴν.* Lib. ix. p. 598.

And, ten years after this time, when the law for creating *DECENVIRS* to form a body of *Laws*, &c. is in agitation, the *Consuls* and other eminent *Patricians* reproach the *Tribunes* with their *unhallowed Magistracy*, because elected in *COMITIA TRIBUTA*, and not, as formerly, in *COMITIA CURIATA*, preceded by religious ceremonies. “The Power, which you extorted from the Senate [at the treaty of re-union] have you not lost it by the change of the *Comitia*? For you enter on this Magistracy, without any previous *Senatus-consultum*; you are not chosen by the *CURIA*; no sacrifices precede the holding of your *Comitia*; there is nothing of piety towards the Gods, or justice towards men in this Magistracy of yours. And yet you will pretend to law-making; which is one of those things, to the due performance whereof, sacrifices and religious worship were always held to be necessary.”

Εἰ δ' ἐν ᾧ καὶ πρότερον ἦν τις ὑμῖν δύναμις, ἣν ἐκ ἐκ τε δίκαιῃ βίαι καὶ ἀμενοῖς ἡμᾶς ἐλάβετε, ὑποκατακλινομένης ἐκείνῃ πλεονεκτῆματι τῆς βουλῆς, ἧς καὶ

Year of
ROM E
CCLXXXI.
Ref. J. C.
Four hundred
fifty-one.
Thirty-
eighth
Consul-
ship.
D. Hal B.
9. p. 598.

Year of
R O M E
ccclxxxii.
Bef. J. C.
Fourhun-
died fe-
venty-
one.

Thirty-
eighth
Consul-
ship.

*Apud
Hudf.
Dionysf.

blies where the People's own Magistrates might preside; where all the Citizens of the country Tribes, as well as the inhabitants of *Rome*, would have a right of voting; and which would not be subject to any decrees of the Senate, or the influence of the Augurs.

καὶ ταύτην νῦν ἀπολωλέκατε τῇ μεταβολῇ τῶν ἀρχαιρεσιῶν; οὔτε γὰρ βουλῆς δόγμα ὑμᾶς ἀποδείκνυσιν ἐπὶ τὴν ἀρχήν, οὔτε αἱ φράτριά τιν ἦσαν ὑπὲρ ὑμῶν ἐπιφύζουσιν, οὔτε ἱερεῖα προ-
βύετε τοῖς δαῖσις πρὸ τῶν ἀρχαιρεσιῶν, ἃ καὶ ἂ νόμος ἐσχῆν ἐκτελεῖσθαι, οὔτε ἄλλο τῶν πρὸς τοὺς θεοὺς εὐσεβῶν, ἢ πρὸς ἀνθρώπους ὁσίως οὐδὲν ἐπὶ τῆς ἀρχῆς τῆς ὑμετέρας γίνεταί τίς οὐδ' ὑμῖν ἐτι μέτετι τῶν ἱερῶν καὶ σεβάσμιον ὁρμενῶν, ὡς ἐτι [ἐν τῇ, Cod. Vat.] καὶ ὁ νόμος ἦν, ἐξαρηνησαμένους τὰ νόμιμα ἅπαντα. Lib. x. p. 630.

It is manifest that the words of these several passages, as they stand in *Dionysius*, do import, that the Tribunes, till this time, were chosen in *Comitia* by *Curiæ*. Nevertheless the fact is disputed. For,

In the former of these passages, *Glarean** read *κεντρικῆς* instead of *κριαῖτης*, and, in the latter, reads *λόγος* instead of *φράτριά*, being of opinion, that the Tribunes, until *VOLERO*'s Law, were chosen in *Comitia Centuriata*. And Dr. *Hudson* conforms his translation of the latter passage to *Glarean*'s reading. *Manutius* likewise is of opinion, that the Tribunes were, at first, elected in *Comitia* by *Centuries*.

—“ Non modo Consules, qui de patribus primo creabantur, sed et TRIBUNOS PLEBIS CENTURIATIS COMITIIS ESSE FACTOS ex *Livio*, Lib. ii. et *Dionysio*, Lib. ix. plane constat; tametsi Tribunorum creationem post annos xvii a centuriatis ad Tributa, *Voleris* lege esse translatam iidem *Livius* & *Dionysius* narrant. “ Cap. x. de Com. Rom.”

Though *Manutius* cites here the authorities of *Liv.* Lib. ii. and *Dionys.* Lib. ix. in support of his opinion, there is nothing in the Books referred to, nor I believe in any other books of those Historians, that can support it. Whatever good reasons the learned Critics above named might have to believe that the *Centuries*, and not the *Curiæ*, chose the Tribunes till *Voleris*'s Law, it seems demonstrable, that *Dionysius* did not mean to say so. For,

1. He relates (in *Lib.* vi. p. 410.) that the φράτριά which were called *CURIÆ*, elected the first Tribunes after the treaty of accommodation on the Mons Sacer.

Νεμηθεὶς δὲ ὁ δῆμος εἰς τὰς τότε ἔσας φρα-

τριάς, ἣ ὅπως βάλεται τις αὐτὰς προσαγορεύειν, ἃς ἐκείνοι καλεῖται κριαῖ, ἀρχοντας ἐνιαυσιαίως ἀποδείκνυσιν, &c.

Plebs vero divisa, in φρατριάς, quæ tunc erant, five quæcunque alio nomine velit quis eas appellare, quas illi curias vocant, annuos magistratus creavit, &c.

2. If *Dionysius* thought that the *Centuries* had chosen, to the Tribuneship, the *Profectors* of *Coriolanus* (men so angrily zealous against the Senate and all the *Patricians*) with what appearance of reason could he impute to those *Profectors* an apprehension, that the *Comitia Centuriata* would absolve him, should he be tried at that Tribunal; an apprehension so strong as to put them on devising a new sort of *Comitia* for the Trial? This argument, I confess, is not decisive; because *Dionysius* does not always give himself the trouble to seek an appearance of reason.

3. But what leaves no room to doubt of the Historian's meaning is this, That, but a few lines before his first mention of *Voleris*'s Bill, he tells us, that the contempt, which this man had shewn of the consular authority, was “ the principal cause which induced the Poor, the lowest of the People, to choose him to be one of their leaders, [i. e. “ one of the Tribunes] he himself being of mean birth, and educated in great poverty,” ἡ δὲ ἄλλο τι πολλὸν ἀποδειχθεὶς ὑπὸ τῶν πενήτων δῆμος προσάτης [or ὑπὸ τῶν πενήτων τῆ δῆμος προσάτης Sylb. & Port.] γένος τε γὰρ ἐκ τῶν ἐπιτυχόντων ἦν, καὶ τεθραμμένος ἐν πολλῇ ταπεινότητι καὶ ἀπορίᾳ. Lib. x. p. 597-8. Hac potissimum de causa ab infima plebe tribunus est creatus (nam erat ignobili genere natus, et in magna humilitate ac egestate educatus.) Hudson.

Now the Poor, the lowest of the people, (the sixth Class) had but one vote, of 193, in the *Comitia Centuriata*; and, should we extend the meaning of the words τῶν πενήτων δῆμος to the Centuries of the fourth and fifth Classes, this will not remove the difficulty, because (as has been often mentioned) the Centuries of the first Class, consisting of the richest Citizens, made the majority of the whole: consequently the Tribunes were not chosen in *Comitia Centuriata*, if *Dionysius*'s Authority is to decide the Question.

The *Plebeians* in general were highly pleased with this proposal, and warmly declared for passing it into a Law. The Consuls, on the other hand, the Senate, and the whole order of *Patricians*, opposed it with all their might. It became the common, and the only subject of dispute between the two parties; so that the affair of the *Agrarian Law* was for a while intirely dropt.

Year of
R O M E
CCLXXI.
Ref. J. C.
Fourhun-
dred fe-
venty-
one.

A dreadful pestilence which raged both in the city and in the country, interrupted the course of this furious contest. Each man being taken up with his particular losses and his own preservation, less attention was given to the business of the publick. But, this calamity proving as short as it was violent, the Tribunes quickly resumed the prosecution of the law proposed by *Volero*; and the People, believing they could not succeed without his assistance, continued him in the Tribuneship for the following year, in spite of the opposition of the Senate and of the whole *Patrician* party.

Thirty-
eighth
Consul-
ship.
D. Hal. B.
9. p. 599.

§. III. THE Senate finding how strongly bent the *Plebeians* were upon carrying their point, and how necessary it would be to set up against *Volero* some man of intrepid resolution, and who was not to be terrified by the clamours and menaces of the multitude, pitched upon *Appius Claudius*, and raised him to the Consulate without his participation. He had been so far from making interest for that high post, that he had not so much as appeared in the Assembly on the day of election; he was proud, but without ambition, not less zealous than his father had been for the interest of the Senate, and more obstinate and inflexible. The Senate gave him for a Collegue *T. Quinctius*, a man naturally mild and insinuating, and who had found means to get the love of the People, though he was looked upon to be one of the principal Leaders of the other party.

Livy B. 2.
C. 56.
D. Hal.
Ibid.

The new Consuls, as they were of different characters, so were they of different opinions. *Appius* hoping for no peace in the City, but by leading the *Plebeians* into the field, advised, that upon some pretence (not difficult to find while *Rome* was so hated by her neighbours) a new war should be immediately undertaken.

Year of
R O M E
CCLXXII.
Ref. J. C.
Fourhun-
dred te-
venty.

Quinctius was against commencing any war without necessity. He said, it was to be feared, that the force which must be employed to compel those *Plebeians* who refused to serve, would exasperate the multitude to a desperate fury (as in the preceding Consulships :) in which case either the fire must be extinguished by the blood of *Roman* Citizens, or the Consuls must debase themselves to the ignominious task of courting and soothing the very lowest of the People. As *Quinctius* was this month in possession of the chief authority, his Collegue could do nothing without him.

Thirty-
ninth
Consul-
ship.
D. Hal. B.
9. p. 605.

In the mean time *Volero* proposed his Law anew, and, in concert with his Collegues, added these articles to it: *That the Aediles should likewise be chosen in Comitia by Tribes, and that these Assemblies should have cognizance of all affairs which the People had a right to determine*; an addition * (says *Dionysius*) which tended directly to destroy the authority of the Senate, and

* Vid.

Year of R O M E CCLXXXII. Bef. J. C. Four hundred seventy. Thirty-ninth Consulship.

to establish that of the People upon its ruins. The Consuls, upon this new alarm, convened the *Fathers*. *Appius* declared for arming all those Citizens, who wished the preservation of the ancient form of Government, and for treating as enemies to the state all opponents. *Quinctius* advised the gentler methods of reasoning and persuasion to bring the People to a sense of their true interest: The majority of the Senate coming into his opinion, the Consuls repaired to the *Cædium*, and desired of the Tribunes, that they would permit them to speak to the *Plebeians* assembled, and would name a day. With some difficulty they obtained both requests. When the day came, and the Forum was filled with a promiscuous crowd of *Patricians* and *Plebeians*, whom the Magistrates of the different orders had brought thither to support them respectively, *Quinctius* (leave to speak first asked and granted) made so artful, so pleasing, so engaging an harangue to the multitude, against the proposed law, that it is probable they would have rejected it, if *Appius* had not spoken after him.

D. Hal. B. 9. p. 601. But this Consul, who understood no way of treating men but with a high hand, instead of taking advantage of the impression which his Colleague's discourse had made in the minds of his audience, fell into invectives, which had the very same effect as the harangues of the Tribunes. He upbraided the People in the most harsh and offensive terms with their *secession* upon the *Mons Sacer*, deserting their Generals, to whom they had sworn obedience; carrying away the military standards; employing against their country those very arms, which were put into their hands for its defence: He added, that it was no wonder, if fugitive bankrupts and perjured soldiers, after being re-admitted into the city, ran every day into new disorders and excesses. That the most sacred Laws were infringed, the Consular power despised, and the dignity of the Senate debased; and that no remedy to these evils could be hoped so long as the Tribune-ship, the root of all, subsisted.

And he concluded with telling them, that, as to the present affair, it was his firm determination for ever to withstand the passing of so iniquitous a Law as was then proposed, and of any Law whatsoever which had not first passed the examination and approbation of the Senate; and that he hoped to make them know during his Magistracy, if they were yet ignorant of it, what was the extent of the power of a Consul.

Livy, B. 2. c. 56. *Volero*, notwithstanding this provocation, still confined his discourse to the matter and merits of the Law in question, forbearing all personal attacks. But *Latorius*, another of the Tribunes, fell ^a at once to railing against the *Claudian* family, which he termed the most haughty and most cruel enemies of the *Plebeians*; and he added, that the *Patricians* had given

^a *Dionysius* represents *Latorius* as a long-winded Orator, who answers what *Appius* had said against the Commons with an ample panegyrick upon them, then makes an

invective against *Appius* and his family, and then closes all with swearing, that he will carry his point or die.

them, in *Appius*, not a Consul, but an executioner to rend and torture them. Words failing the rough soldier to keep pace with his angry and impetuous thoughts, he said, "*Romans*, I am not so ready at *speaking* as *R O M E*
"*Come* hither to-morrow. I will get the Law passed, or die CCCLXXXIII.
Bef. J. C.
Four hundred seventy.
upon the spot before you."

The next day the Tribunes possessed themselves of the Temple [the capitol, according to *Dionysius*.] The Consuls and *Patricians* repaired to the Assembly to hinder the passing of the Law. *Laelius* bids his *Viator* clear the place of all who have not the right of voting: The young Nobles keep their ground: He gives orders to lay hold on some of them: *Appius* cries out, "A Tribune has no authority but over the *Plæbeians*: He is not a Magistrate of the *People*, but of the *Commons*": I myself, though Consul, have no power, by the custom of our ancestors, to remove any Citizen from a publick Assembly; the form of dismissing it "having always been, *Depart, Citizens, if you please*." Si vobis videtur, discedite Quætor.

The Tribune, no match for the Consul at points of Law, instead of answering, sends a *Viator* to arrest him; *Appius* sends a *Lictor* to seize the Tribune, crying aloud to him, at the same time, that *he is but a private man, without any authority, or real magistracy*. The sacrosanct person of the Tribune was just going to be insulted, when the enraged *Plæbeians* all united at once against the Consul. *Appius* nevertheless stood the storm; and, as fresh crowds of Citizens flocked to the Forum from all quarters, the commotion would probably not have ended without bloodshed, if *Quæstus*, the other Consul, had not exerted all his soothing arts to quiet the tumult. Requesting some Consulars to force *Appius* out of the Assembly (if they could not persuade him to go) he endeavoured by intreaties to abate the fury of the *Plæbeians*, and begged of the Tribunes to dismiss the Assembly, and allow their own anger some leisure to cool. Time (he said) would not diminish their strength, but add wisdom to it. That the Senate would certainly yield to the People, and the Consul to the Senate.

Quintius found it difficult to appease the multitude; the Consulars much more difficult to appease *Appius*. At length the Assembly of the Commons was dismissed; and the Consuls convened the Senate. Anger and fear, for a while, alternately dictated different counsels; but, in proportion as those passions subsiding gave place to reflection and reason, the *Fathers* became more and more averse from all further strife; and *Quintius* had the thanks of the House for having quieted the tumultuary contest. They intreated *Appius* not to insist on retaining to the consular dignity any higher prerogatives than were compatible with concord in the State. He, unconvinced by all their remonstrances, "called Gods and Men to witness, that the Republick was betrayed through cowardice; that a Consul was not wanting to the Senate, but a Senate to the Consul:

^a Non POPULI sed PLEBIS cum magistratum esse. Livy, B. 2. c. 56.

Year of " That they were going to submit to Laws more destructive than even
 ROM E " those enacted on the *Mons Sacer*." Overcome, however, by the una-
 cconsent. nimity of the *Fathers*, he acquiesced. The Law was quietly passed. *Lex*
 Four hun- *silentio perferitur*."

And now the Tribunes were chosen, for the first time, in *Comitia* by
 Tribes; and, according to *Piso* the Historian (quoted by *Livy*) the Com-
 mons, from the same time, began^b to have five Tribunes, and not before.
 The names of the five now elected were C. *Sicinius*, L. *Lunitorius*, M.
Duilius, Sp. *Ilcius*, and L. *Mcclius*.

Thir-
 ty-
 ninth
 Con-
 sul-
 ship.
 Livy, B.
 2. c. 58.

^a The Greek Historian (B. 9. p. 603, 604, 605.) is somewhat more circumstantial than the *Latine* with regard to the commotion. He represents it as lasting many days. He says, that after the fray between *Appius* and *Lunitorius*, in which the latter received a hurt, the Tribunes and People possessed themselves of the Capitol, and kept guard there night and day to the great terror of the *Fathers*. And he adds, that *Quinctius*, at length, prevailed with the Tribunes to refer the matter in dispute wholly to the judgment of the Senate. That there (the Tribunes present) *Falerius*, being called upon the first to declare his opinion, began with advising a mutual forgiveness and oblivion of all injuries done in the late scuffle; and then said, That since the Consul *Appius* would not permit the Law in question to be proposed to the People,

without a previous decree of the Senate, he thought the Senate should take it into consideration, and make a decree thereupon. This advice was approved. *Quinctius* put the question: *Appius* spoke warmly against the Law. The Tribunes answered him: the majority of the Senate declared for the Law; and a decree was made conformable to the Sense of the House; which decree the People joyfully received; and by their suffrages the Law was enacted. *Καὶ ὁ δῆμος ἀρχαιστὸς δεξιόμοτος τὸ συγχωρεῖν τῆς βουλῆς, ἐπέφησε τὸν νόμον.*

^b If *Piso's* report be true, many particulars, related by *Dionysius* and *Livy* concerning the Tribunes, must be fabulous. It may be observed, that *Pigmeus* has in no year, preceding this, interted more than two in his Calendars.

C H A P. XIX.

§. I. The Consuls lead two armies into the field against the *Æqui* and *Volsci*. *Appius's* Troops, that he may have no claim to a TRIUMPH, refuse to fight the enemy. He punishes them with the utmost severity, and returns to Rome. §. II. The affair of the Agrarian Law being revived the next year, he opposes the Tribunes with more heat than ever. They cite him before the People as an enemy to the publick liberty. He kills himself. §. III. The Tribunes resume the affair of the Conquered Lands, but drop it again till the close of the next Consulship, when no Plebeian appears in the *Comitia*, where T. *Quinctius* and Q. *Servilius* are chosen to that dignity. These Consuls, to keep things quiet at home, busy the People in various wars. §. IV. The domestick dissensions begin afresh in the Consulship of T. *Æmilius* and Q. *Fabius*. *Æmilius* favours the People in relation to the Agrarian Law. *Fabius*, without promoting that affair, falls upon an expedient to stop their complaints. §. V. He then takes the field, and reduces the *Æqui* to ask peace. The war is renewed to the advantage of the Romans. §. VI. A most dreadful Plague rages in the City. The *Æqui* and *Volsci* appear before Rome, but soon retire; and the Romans, the next year, give them an intire overthrow.

§. I.

§. I. **T**HE *Æqui* and *Volsci*, during these divisions at *Rome*, had, according to their old custom, made inroads upon the territories of the Republick. The Legions raised to take revenge upon those enemies were divided between the two Consuls.

Appius marched against the *Volsci*, and carried with him into the field the same cruel and tyrannical spirit which had actuated him in the City, and to which he now abandoned himself the more absolutely as he had no Tribunes to controll him. The victory which the Commons had gained over him made his hatred to them exceed even that of his father. Though singled out by the *Patricians*, as the only man qualified to withstand the Tribunes, yet in his Consulship they had passed their Law, which his predecessors, with less vigorous efforts than his, had obstructed. Stung with these reflections, anger and indignation incited him to exercise towards the soldiers a rigour that had more the appearance of revenge, than of necessary discipline. Yet so obstinate a spirit of opposition to him had they imbibed, that no acts of severity could make them submissive. They did every thing slowly, lazily, negligently, contumaciously. Neither fear nor shame had any power with them. If he bade them march faster, instantly they took care to slacken their pace; if, when they were employed in any work, he urged them to dispatch, they presently became languid, though of their own accord they had been active before; their arms grew stiff. Whenever he was near, they kept their eyes on the ground, muttering curses as he passed by; insomuch that, enough unconquered by the hatred of the *Plebeians*, it sometimes staggered him. Finding that no examples of punishment had any influence on the soldiers, he forbore speaking to them any more; but charged the centurions with having corrupted his army, and scoffingly called them *Tribunes of the Commons*, and sometimes *Voleros*.

The *Volsci*, having intelligence of all this, pressed the closer upon the *Romans*, in hopes of their acting the same part towards *Appius*, as formerly towards *Cæso Fabius*. And in truth they were disposed to act a worse, as they hated *Appius* much more than they had done the other. They did not only resolve, like *Fabius's* army, not to conquer, but they resolved to be conquered. The Consul had no sooner drawn them up for battle, than they turned their backs to the enemy, fled shamefully to their intrenchments, nor made any resistance till they beheld the slaughter of their rear, and the *Volsci* approaching to break into their Camp. Then exerting their strength courageously they repulsed the victorious *Volsci*; yet would do no more. They would only save the Camp, and shew their General, that they could have conquered if they had pleased. Some even exulted in the loss and disgrace they had suffered. The haughty and fierce spirit of *Appius* not broken by all this, but eagerly bent to punish it with rigour, he gave orders for the soldiers to assemble before his tribunal. His Lieutenants and military Tribunes, who dreaded the consequence, ran to him, begged of him not to

Year of
R O M E
CCLXXXII.
Bef. J. C.
Fourhundred
fifty.
Thirty-
ninth
Consul-
ship.
D. Hal. B.
9. p. 605,
606.
Livy, B.
2. c. 58.

Year of
R O M E
CCCLXXII.
Bef. J. C.
Four hun-
dred fe-
venty.

Thirty-
ninth
Consul-
ship.

hazard his authority by putting it to such a trial, since its whole force lay in the consent of those who were to obey; they represented to him, that the soldiers in general declared, they would not assemble; that many called out aloud to decamp and quit the territory of the *Volsci*; and that certain appearances gave great reason to apprehend some dreadful blow from the victorious enemy, who had already been once at the foot of the rampart. *Appius*, yielding at length to their remonstrances, (though the guilty got nothing by it but a delay of punishment) put off the Assembly, and issued orders to decamp the next morning. At break of day the signal for marching was given by sound of trumpet. The *Volsci*, as if roused by the same signal, fell upon the hindmost ranks of the army, as soon as it was in march: the terror and confusion, hereby caused, spread to the foremost; no orders could be heard, no troops formed for fighting; soldiers threw away their arms, Ensigns their colours; the only thought of every one was to escape by flight; the *Volsci* ceased to pursue, before the *Romans* ceased to run; nor did these rally till they came upon the lands of the Republick.

Then *Appius*, who during the rout had in vain called upon his men to face about, pitching his Camp where he could not be molested by the enemy, once more summoned the army to attend him. Seated in his Tribunal he upbraided them (and not without reason) with their breach of discipline and shameful behaviour; asked the Ensigns, who appeared without their colours, what they had done with them? the unarmed soldiers, what they had done with their arms? Giving full scope to his natural severity, he caused the guilty Centurions, Ensigns, and those of the private soldiers who had double allowance of provisions, to be first scourged and then beheaded; and the rest of the soldiers he *decimated*, that is, put every tenth man of them to death, lots determining, who should be the sufferers.

The time for electing new Consuls drawing near, *Appius*, universally hated by the multitude, and inwardly vexed, because he had acquired no glory, led back the wreck of his army to *Rome*.

In the other army, commanded by *Quintilius* against the *Æqui*, the scene had been far different; an amiable competition between the General and his soldiers; the strife, which should give the other the greater proofs of good-will and affection? *Quintilius*, naturally mild and gentle, had yielded to his disposition with the more pleasure, as he observed the bad effects of his Collegue's cruel severity. The *Æqui*, apprised of this concord between the Consul and his troops, durst not shew themselves. Without opposition they suffered their lands to be plundered and ravaged. A richer booty had never been brought from that country; and *Quintilius* gave all to his men. To this liberality he added praises, not less pleasing to soldiers, than rewards. They returned home in perfect good humour with their General, and, on his account, even softened towards the *Patricians*: the Senate (they said) had to them given a Father, to the other army a Master.

“ Thus,

" Thus, with various fortune in war, and furious discord both at home and abroad, passed this year, chiefly memorable for the *Comitia* by Tribes. The affair was more considerable on account of the victory itself, than any real benefit, got by the victory. For neither the *Plebeians* acquired, nor the *Patricians* lost so much strength, as the *Comitia* themselves lost dignity, by the exclusion of the *Patricians* from the council."

§. II. *L. VALERIUS* and *Tib. Aemilius* (chosen to succeed *Quintus* and *Appius* in the Consulship) had scarce entered upon their office when the *Tribunes of the Commons* revived the affair of the conquered lands. Addressing themselves to both the new Magistrates, they conjured them to make good the promises given by the Senate in the Consulship of *Cassius* and *Virginius*; and they succeeded with both. *Aemilius* favoured them (says *Dionysius*) from a spirit of revenge against the Senate, who had formerly refused a triumph to his father, when he returned victorious from a war with the *Aequi*. And, as for *Valerius*, he was glad of the present opportunity to soothe the People, who could not easily forgive him the part he had acted, when *Quaestor*, in the destruction of *Cassius*, the ablest Statesman, and greatest Captain^b of his time, and the first author of the *Agrarian Law*.

Year of ROME.
CCXXXII.
Bef. J. C.

Four hundred seventy.

Thirty-ninth Consulship.

Y. of R.
283. Bef.
J. C. 496.

40th Consulship.
B. 9. P. 607.

Secure

* *Varia fortuna belli, atroci discordia domi, fœque annuum exactum, insignem maxime Comitia Tributa efficiunt. Res major victoria suscepta certaminis quam usu. Plus enim dignitatis Comitibus ipsis detractum est, Patribus ex Concilio submovendis, quam virum aut Plebi additum, aut ademptum Patribus.* What is said here of the Exclusion of the *Patricians* from the Assemblies by Tribes, is not to be understood generally of all such Assemblies; for the *Patrician* Magistrates held Assemblies by Tribes as well as the *Plebeian*. However, it appears by this passage of *Livy*, that to the Assemblies by Tribes for the election of *Tribunes* the *Patricians* were not to be admitted. *Manutius* cites the passage as decisive for this.

^b Perhaps the reader, when he calls to mind *Coriolanus*, will wonder why the Historian makes *Cassius* the greatest General of his time; and I cannot resolve the difficulty, otherwise than by supposing, that he speaks only of the time when *Cassius* was killed; that he was then the ablest General in the Republick. By the way, it is somewhat surprising, that, when the *Romans* were so grievously distressed by *Coriolanus*, they made no use of the abilities of *Cassius*: we hear nothing of him during all that war. Why did not they raise him to the Consulship when they most wanted such a General?

* And this naturally leads me to mention another difficulty which frequently occurs in the Roman story. The Consuls were always chosen in *Comitia* by Centuries; and the *Patricians* are often represented as having all power there. Thus, for instance, *Livy*, on occasion of the contest about *Volero's* bill:—*Plebs Voleronem tribunum refecit. Patres ad ultimum dimicationis rati rem venturam, App. Claudium, Appii filium, jam inde a paternis certaminibus invisum infestumque plebi, consulem faciunt.* Liv. l. 2. c. 56.

One would imagine, from these words, that the creation of the Consuls was as much in the power of the Senate and *Patricians*, as the creation of the *Tribunes* was in the power of the Commons. Yet we find, that in the *Comitia Centuriata* the *Plebeians* often prevailed to have those Candidates promoted, whom they liked best, and who were known to favour the popular cause. May we not resolve this difficulty, by saying, that the Commons were always masters in the *Comitia Centuriata*, when they pleased to exert their strength; but that, generally speaking, they had so much respect for the old *Patrician* families, as to leave to them the Nomination of persons to fill those Magistracies, to which no *Plebeian* could lawfully be admitted? I had nevertheless, when any matter, which greatly concerned

Year of
R O M E.
CCCLXXXIII.
Bef. J. C.
Four
hundred
fifty-
nine.

Fortieth
Consul-
ship.

D. Hal. B.
9. p. 607.

Secure of the two Consuls, the Tribunes brought the affair before the Senate, and in gentle, but pressing terms, urged the *Conscript Fathers* to suffer the nomination of Decemvirs for regulating the partition of the lands. The Consuls said nothing upon the subject, but asked the opinions of the rest of the Senate, beginning with *Emilius's* Father. This ancient Consular declared, he thought nothing could be more unjust; than that a few private men should possess the publick estate; that those usurpers ought to be very well content with having held the lands several years without molestation. That, not to speak of the natural right which all the Citizens of a state have to share in what belongs to the publick, the Senate was particularly engaged by their own decree, made 17^e years ago, to divide the conquered lands among the People. He added, That the poor *Plebeians* dreaded the thoughts of having children, to whom they could leave nothing but their own wretchedness for an inheritance; instead of cultivating each the portion of land

concerned the interest of the whole *Plebeian* body, was depending, they then took advantage of their superiority to have one popular *Patrician*, at least, in the Consulship. The Tribunes with their insolent *Veto*, and the Senate, with their *Knaveish Augurs*, could throw obstructions in the way of each other's purposes at these Elections. And it seems, as if they therefore frequently compromised the matter. *Let us have one Consul (said the Tribune) such as we like, and you shall name whom you please for the other.* Thus, in the instance just mentioned, the Colleague given to *Appius* was *T. Quinctius*, a popular man: otherwise, it is highly probable, that the *Plebeians* would have opposed and hindered the Election of the other, their known and avowed enemy.

Nothing, here said, will account for the neglect shewn of the abilities of *Cassius* when they were most wanted; because he is represented as a man agreeable to both parties, till his proposal of the *Agrarian Law*. But doubtless, with regard to the Consuls of the year 263, the case was, that the *Plebeians* departed from their usual complaisance for the Senate, as thinking the interest of the *Plebeian* order particularly concerned at that time in the choice of the governing Magistrates. (See p. 212.) And the same was doubtless the case, when Consuls were chosen for the present year. For I apprehend that both *Valerius* and *Emilius* were known to be favourers of the people before their election to the magistracy; and that the reasons, assigned by *Dionysius*, why they sided with the Tribunes in relation to the *Agrarian Law*, are mere conjectures of his own. To believe that *Valerius* took part with the People

from the motive mentioned in the text, we must first believe the story of *Cassius's* being impeached before the People by *Valerius* and his brother *Quastor*, which, I think, has been shewn to be a groundless tale. It does not appear that *Valerius* had any hand in the death of *Cassius*.

And as to *Emilius's* resenting the refusal, his father had received eight years before, (in his second Consulship 275) from the Senate, of a *Triumph*, I conceive the refusal itself to be fabulous, as likewise all that *Dionysius* says of the petitioner's anger, and his immediately revenging himself by declaring for the *Agrarian Law*: I conclude, I say, the whole to be fabulous, not only because *Livy* says nothing of these things, but because we find *Emilius* the father raised a third time to the Consulship in 280, and as warm against the pretensions of the People, as the Senate could wish him. And it seems very probable that both father and son (in imitation of the *Fabii*, (see p. 250.) now sided with the Tribunes in order to recover to the family the good-will of the *Plebeians*, which they must have lost in the former part of the Father's third Consulship; during which the Tribune *Genucius* was murdered, and the *Plebeians* insulted in the person of *Volero*. That *Emilius* the father presently repented of what he had done in relation to *Volero* and made his peace with the Tribunes, there seems good ground to believe, since we find that stormy affair hushed at once, each party dropping their complaints.

i. e. The year 267, when the decree was made, and the present year 283, inclusive.

that

that belonged to him, they were obliged to work for subsistence, like slaves, on the estates of the *Patricians*; and that this servile way of life was not very proper to form the courage of a *Roman*. "My opinion therefore is, that our Consuls do now execute the Senate's decree, the execution of which has been hitherto delayed on account of the unquietness of the times, and that they name Decemvirs, to make the partition of the conquered lands."

Appius opposed this advice. He said, that the People could lay the blame of their misery upon nothing but their own intemperance and prodigality; that the Consuls had frequently divided among them the booty got in the territories of their enemies, and, upon a thorough inquiry, it would appear, that those who had received the greatest share of it were the poorest. That till their manners were mended no largesses could free them from poverty. That it would be very monstrous if the Senate should grant rewards to men who had behaved themselves so shamefully in the field, as they had done the last year when under his command. That it never was the intention of the Senate to divide the lands among the People; that their sole view in granting the *Senatus-consultum*, which *Æmilius* spoke of, was to put off the affair, in order more easily to quiet the commotion, raised by the Consul *Cassius*: That his immediate successors in the magistracy, to whom the decree was directed, had taken no notice of it, as thinking the partition in question would be mischievous to the Republick. That afterwards, during fifteen years successive, the Consuls of none of those years, though in continual danger from the resentment of the People, had thought themselves authorized to name Decemvirs in virtue of a decree directed only to the immediate successors of *Cassius* and *Virginus*. He added, "Nor have you therefore, *Valerius*, nor you, *Æmilius*, any authority to name Decemvirs for the partition in question, the Senate having given you no commission to do it. As to those who have usurped the publick lands, whether by force or fraud, if such men there be, let them be summoned to appear before the Consuls, and let their titles be legally tried and determined. There is no want of new Laws for this, we have Laws already written; and they are not obsolete; time has formed no prescription against them."

The

^d It should be 14 years, the year of *Cassius*, the year of his immediate successors, and the present year being excluded by the context.

^e Mr. *Vertot*, I know not why, always speaks of the *resumption* of the lands either as a thing *impracticable*; or as not to be executed without ruining the Senate and all the great men; objections never made by those who opposed the AGRARIAN LAW. *Appius Claudius* himself, tho' against the partition, declares for the *resumption*; and

so did his Father in *Cassius's* time, as likewise *Sempronius*, who are the only persons mentioned by *Dionysius*, as then speaking on the subject in the Senate.

Tho' the younger *Appius* now declares for the *resumption*, as Mr. *Vertot* himself (following *Dionysius*) relates, yet Mr. *Vertot* represents this *Appius* saying, that the *Senatus-consultum* was granted only to give the People time to see the injustice, and even impossibility of what they demanded, *pour donner le tems au peuple de reconnoître l'injustice & même l'impossibilité*.

Year of
R O M E
CCLXXXIII.
B.C. J. C.
Four hundred
sixty-nine.

Fortieth
Consul-
ship.
D. Hal. B.
9. p. 608.

Year of
R O M E
ccclxxxiii.
Bef. J. C.
Fourhun-
dred
fifty-
nine.

The majority of the Senate came into the opinion of *Appius*; so that the request of the Tribunes was rejected; who thereupon, enraged at their disappointment, turned their thoughts wholly to revenge themselves on the author of it; and they agreed to bring him to trial^a for his life before the People. They named a day for it, and exhorted all the

Fortieth
Consul-
ship.
D. Hal. B.
9. p. 610.

possibilité de leurs prétentions. This impossibility can relate only to the *resumption*; the partition admitted of no difficulty. And what made the *resumption* so difficult? We have the Abbot's reasons, where he speaks of this affair in the time of *Cassius*: *Quelque apparence d'équité qu'eût la proposition de Cassius, on ne pouvoit en faire une loi, sans ruiner tout d'un coup le Senat & la principale Noblesse, & sans exciter une infinité de procès en garantie parmi toutes les familles de Rome. Why: Les Patriciens qui s'en étoient emparés [des terres conquises] les avoient enfermées de murailles: on avoit élevé dessus des bâtimens: des troupes d'esclaves faits des prisonniers de guerre les cultivoient pour le compte des Grands de Rome, & déjà une longue Prescription couvroit ces Usurpations. Les Senateurs & les Patriciens n'avoient gueres d'autres biens que ces terres du public, qui étoient passées successivement en différentes familles par succession, par partage, ou par ventes.* Tom. i. p. 268. 3d Ed.

I cannot find any authority Mr. *Ventot* has for saying that the Senators and *Patricians* had hardly any estates but what they had got by usurping the lands belonging to the publick. But, when he speaks of their usurpations being covered by *long prescription*, he seems totally to forget the time of which he is writing, the year 267 of Rome. By his own account (p. 64.) these usurpations did not begin till after the *Regifuge* (in 244 of Rome) 23 years before *Cassius* proposed the *Agrarian Law*. And there is no reason to believe that these usurpations began till after the year 257, when *Tarquin* died; which *Livy* makes the date whence the Aristocratical domination commenced, and which was just ten years before *Cassius* proposed the *Agrarian Law*. The Republick was reduced to a very low condition after the banishment of *Tarquin*, by the desertion of all her Allies; nor, till the defeat of the *Latines* in 257, had she quiet possession of land enough for the *Patricians* to form out of it such considerable estates for themselves, as Mr. *Ventot* supposes them to have. So that his difficulties arising from sales, and conveyances, and inheritances, and *long prescription*, are all a dream.

^a Ἐδοξε γὰρ αὐτοῖς πολλὰ βουλευσάμεναι, διὰ τὸν Ἀππίον διαγαγὼν θεῖατο ἐκείνῃ τῇ τιμῇ. Καί μετὰ ταῦτα ἐν ἐκείνῃ τῇ αἰτῇ, κατήχησαντες, πικρὰ καὶ ἡμέτερον ἀπεινὰ, τὴν ἀπὸ διαγραφῆς ἐκείνης, ὡς δυνάστοις αὐτῶν ἤθησαν. D. H. L. ix. p. 610.

When any Magistrate designed to impeach a person of a crime before the whole people, he ascended the *Rostra*, and, calling the people together by a crier, signified to them, That upon such a day he intended to accuse such a person of such a crime: This they termed *Reo diem dicere*: The suspected party was obliged immediately to give sureties for his appearance on the day prefixed, and, in default of bail, was committed to prison.

On the appointed day, the Magistrate again ascended the *Rostra*, and cited the party by the crier; who, unless some other Magistrate of equal authority interposed, or a sufficient excuse was offered, was obliged to appear, or might be punished at the pleasure of the Magistrate who accused him. If he appeared, the accuser began his charge, and carried it on every other day, for six days together, at the end of the indictment mentioning the particular punishment specified in the Law for such an offence. This intimation they termed *Inquisitio*. The same was immediately after expressed in writing, and then took the name of *Rogatio*, in respect of the people, who were to be asked or consulted about it; and *Irrogatio*, in respect of the criminal, as it imported the mulct or punishment assigned him by the accuser. This *Rogatio* was publicly exposed three *Nundinae* or market-days together, for the information of the people. On the third market-day, the accuser again ascended the *Rostra*, and the people being called together undertook the fourth turn of his charge, and, having concluded, gave the other party leave to enter upon his defence, either in his own person, or by his advocates.

At the same time as the accuser finished his fourth charge, he gave notice what day he would have the *Comitia* meet to receive the bill; the *Comitia Tributa* to consider of mulcts, and the *Centuriata* for capital punishments.

the Citizens to be present. The articles of the impeachment, according to *Dionysius*, were to be, That he had given pernicious advice against the People; raised sedition in the State; offered violence to the sacred persons of the Tribunes; and, when commander of the army, had suffered an ignominious defeat and a terrible slaughter of his soldiers. Never, says *Livy*, was a man, whom the Commons so much hated, summon'd to appear in judgment before the People: Nunquam antè tam invidus reus ad iudicium vocatus POPULI est; nor did ever the *Patricians* exert themselves so much in behalf of any man as of *Appius*, the defender of the Senate, the asserter of its dignity, its support, its bulwark against all Tribunician and *Plebeian* tumults, and now exposed to the rage of the Commons, only for having been too warm in the contention.

Appius himself was, of all the *Patricians*, the only man who despised the Tribunes, and the Commons, and the impeachment. Neither the menaces of the *Plebeians*, nor the intreaties of the Nobles, could move him to depart from his accustomed manner of speaking, and soften the asperity of his style. Once he pleaded his cause, but more like an accuser, than a person accused; the same resolute, haughty, disdainful look he was wont to have; the same spirit in his discourse, full of reproaches and invectives: infomuch that many of the *Plebeians* feared him no less now when arraigned at the Bar, than they had done when he was Consul. His intrepidity and steadiness so astonished and disconcerted the Tribunes, and the Commons, that, of their own motion, they adjourned the cause to another day. Before this came, *Appius* put an end to his own life. When his son, who brought the dead body into the Forum, was beginning to pronounce a funeral oration on the deceased, the Tribunes endeavoured to silence him; but the people more moderate and equitable interposed, and would not suffer that so great a man should be hindered from receiving that customary honour; and *Livy* adds, that they heard him praised, when dead, with as willing an ear, as they had heard

But, in the mean time, there were several ways, by which the accused party might be relieved; as first, if the Tribunes of the Commons interposed in his behalf; or if he excused himself by voluntary Exile, Sickness, or upon account of providing for a Funeral; or if he prevailed with the accuser to relinquish his charge, and let the cause fall; or if upon the day appointed for the *Comitia* the *Augurs* discovered any ill omens, and so forbad the Assembly. Kennet, Part II. B. III. chap. XIX.

Vobismet ipsis, Pontifices, et vestris liberis, ceterisque civibus, pro vestra auctoritate, et sapientia consulere debetis. Nam, cum tam moderata judicia populi sint à maioribus constituta: primum ut ne pœna capitis cum pecunia conjungatur; deinde ne, nisi pro dicta die, quis accusetur: ut ter antè

magistratus accuset, intermissa die, quam multam irroget, aut judicet: quarta sit accusatio trinum nundinum pro dicta die, qua die iudicium sit futurum: tam multa etiam ad placandum, atque ad misericordiam reis concessa sunt: deinde exorabilis populus, facili suffragatio pro salute: denique etiam, si qua res illum diem aut auspiciis, aut excusatione sustulit: tota causa iudiciumque sublatum est. Hæc cum ita sint in re, ubi crimen est? ubi accusator? &c. Cic. pro Dom. 17.

^a *Livy* reports that he died of some distemper, and *Dionysius* says, that it was so given out by his friends, but that in truth he killed himself.

The Greek Historian does not admit that *Appius* ever pleaded his cause before the People.

Year of
R O M E
CCLXXXIII.
Bef. J. C.
Four hundred
sixty-nine.
Fortieth
Consul
ship.

Livy, B.
2. c. 61.

Ibid. &
D. Hal B.
9. p. 611.

Year of ROME cclxxxix. Bef. J. C. Four hundred sixty-three. Forty-sixth Consulship. Livy, B. 3. c. 5. Year of ROME cccxc. Bef. J. C. Four hundred sixty-two. Forty-seventh Consulship. D. Hal. B. 9. p. 623. Livy, B. 3. c. 6.

Æqui left the attack, and retired in haste; but *Furius* had before made a folly, in which his brother *L. Furius* and two Cohorts, consisting of a thousand men, had been surrounded by the enemy and all slain, having chosen rather to die fighting, than surrender their arms. The Consul, being now equal in numbers to the enemy, acted upon the offensive, and obliged them to retire into their own Country. *Posthumius* likewise attacked a considerable body of their pillagers loaded with spoil, and made a great slaughter of them: And by these successes *Rome* was again in tranquillity.

§. VI. BUT the next year, when *P. Servilius Priscus* and *L. Æbutius Elva* held the Consulship, a dreadful Plague swept away a multitude of the *Roman* Citizens of both orders. The dead were so numerous, that the living threw them into the *Tyber*, without burial. Upon the news of this mortality, the *Æqui* and *Volsci* entered into a league against *Rome*, which they proposed to besiege. They began the war with committing hostilities in the territories of the *Latines* and *Hernici*. These allies applied to the *Roman* Senate for succour; but their deputies found *Æbutius* breathing his last, and *Servilius* not far from death. However the latter made himself be carried to the Senate-House, whither some of the Senators likewise, half dead, were carried in litters: but all they could do, was to give leave to the Allies to arm and defend themselves, and to promise them assistance in better times. The *Latines* and *Hernici*, not in a condition to take the field, shut themselves up in their towns, and left their country open to the ravages of the enemy, who at length appeared before *Rome*. Both the Consuls were now dead, and the greater part of the Tribunes; the Plague had carried off one fourth part of the Senators, and the rest with the other Nobles were most of them sick. The care of the Republick had devolved upon the *Ædiles*.

D. Hal. B. 9. p. 624. Livy, B. 3. c. 7.

Notwithstanding so many calamities, the *Romans* seemed to have lost nothing of their wonted steadiness. They crept to the ramparts, and put a good face upon their affairs. Those of the Senators who were able mounted the guard and stood Centinels; and the City was strong on every side. The *Æqui* and *Volsci* at length abandoned their project of a siege, and marched their forces towards *Tusculum*.

In the mean time, the Plague still raging, the People turned their thoughts to divine assistance; all made their vows upon the altars; the women swept the Temples with their hair, and continued prostrate in the

* It is not absolutely certain in what month of the year the Consuls entered upon their Office, from *Brutus* to this time. *Livy* tells us that *Servilius* and *Æbutius* entered upon the Consulship the first of *August*. It will appear in the sequel of this History, that, down to the 600th year of *Rome*, the Consular years began in different months, sometimes

in *July*, sometimes in *December*, and sometimes in *March*. Afterwards they began the first of *January*, and continued so to do as long as the Republick lasted. *Rouillé*.

^b *Livy* represents the enemy as quitting the enterprise through fear of the infection; *D. Hal.* as repulsed by the *Romans*.

presence of the Gods. From this time (says *Livy*) the pestilence gradually abated; and the Citizens recovering health and strength began to apply themselves to affairs. Several Inter-Kings were successively appointed to govern the State. *Valerius*, the third day of his administration as Inter-Rex, named *Lucretius Tricipitinus* and *T. Veturius Geminus* Consuls. They entered on their Magistracy before the middle of *August*.

Year of
R O M E
ccxci.
Bef. J. C.
Fourhun-
dred
sixty-one.

Dionysius reports, that one of the Tribunes would have immediately revived the affair of the conquered lands; but that the People chose to defer it to a more convenient season, being now intirely bent to revenge the insults they had suffered from the *Æqui* and *Volsci* the last year. Even those Citizens, whom the Laws exempted from going to war, neglected their privileges, and voluntarily enlisted themselves for the service; so that the Consular Armies were presently formed. It was *Lucretius's* fortune to engage with the confederates, and give them a dreadful overthrow; they lost 13460 men in the battle and in their flight after it; and they were soon after defeated again by the forces of the two Consuls united. And thus the Republick was restored to her former flourishing condition.

Forty-
eighth
Consul-
ship.
Livy, B.
3. c. 8.
D. Hal. B.
9. p. 625.

C H A P. XX.

§. I. During the absence of the Consuls from Rome, *Terentius Arsa*, one of the Tribunes, proposes to the People, that there should be an establishment of FIXED LAWS to be the RULE to the Magistrates in deciding causes between man and man. §. II. *Q. Fabius*, Governor of the City, warmly opposes it. *Terentius* suspends the pursuit of his design, and, after the arrival of the Consuls at Rome, drops it intirely. §. III. But the affair is revived in the succeeding Consulate of *P. Volumnius* and *S. Sulpitius*. Great contests about it. A stop put to the dispute by prodigies and ill omens. §. IV. The Law is again proposed. The contending parties come to blows. *Quinctius Cæso*, the son of *Quinctius Cincinnatus*, is cited before the Commons for the violent part he had acted in those scuffles. §. V. His uncle *T. Quinctius* and his father *L. Quinctius* plead for him. He is falsely accused of murder. The decision of the cause is deferred to another day; before the coming of which, *Cæso* banishes himself.

§. I. WHILE *Veturius* and *Lucretius* were in the field, pursuing the advantages they had gained over the *Æqui* and *Volsci*, a certain Tribune of the Commons, named *C. Terentius Arsa*, took the favourable opportunity of the absence of those Magistrates to propose a new Law of great importance to the People, and tending much to diminish the power of the Nobles.

During the Regal State of Rome the sole will of the King had been instead of Law in all private causes. As the Consuls succeeded to the regal power, they likewise succeeded to the prerogative of distributing justice,

D. Hal. B.
10. p. 627.

* *Livy* calls him *Terentillus*.

Year of by themselves or their *Patrician* Substitutes. A few, and but few, Rules
 R O M E of Law were written; and these were in the sacred books to which *Patri-*
 ccxc1. cians only had access. The People in general, wholly occupied in culti-
 Bef. J. C. vating the lands, and rarely coming to town but on market-days about
 Four hun- their domestick concerns, or to be present at the *Comitia* and other pub-
 dred lick Assemblies, holden only on those days, were intirely ignorant of the
 sixty-one. science of Law.

Forty-
 eighth
 Consul-
 ship.
 Livy, B.
 3. c. 9.

Terentius, in his harangue to the People, urged with great vehemence that the Consular Authority was excessive, and insupportable in a free City. That the Consuls, independent and uncontrolled themselves, turned all the terror and penalties of the Laws against the *Plebeians*. That the State, by the erection of the *Consular* Magistracy in the place of the *Regal*, had only got two Kings instead of one. "But, (he added) to put an end to this despotick sway of the Consuls, he would prefer a bill for impowering five of the best men in the Republick to form a body of Laws, whereby those Magistrates should themselves be governed, so that for the future they should not give their will for Law, nor exercise any authority over their fellow Citizens, but what those very Citizens should intrust them with."

D. Hal. B. §. II. THE Nobles (says *Dionysius*) were terribly alarmed with the
 10. p. 628. danger of being constrained to have regard to Laws in their administra-
 Livy, B. 3. tion of the publick affairs. *Q. Fabius*,^a who had been twice Consul,
 c. 9. was at this time Governor of the City. He convened the Senate, and inveighed in such terms against both the bill and its Author, that the Consuls themselves, had they been present, could not have fallen upon the Tribune with greater fury, or employed more dreadful menaces. He charged *Terentius* with taking advantage of the absence of the Consuls to strike at the very being of the Republic; adding, "That if, the year before, while the Plague made such havock in the City, and foreign enemies laid waste the territory of *Rome*, the Gods, in their wrath, had permitted a man, like him, to be in the Tribuneship, the commonwealth must have sunk under her heavy calamities: That, doubtless, after the death of the Consuls he would have preferred bills for abolishing the Consular Government, and, in case of failure in that enterprise, have come at the head of the *Æqui* and *Volsci* to besiege and assault the City."—Then, addressing himself to the other Tribunes, and softening his style, he earnestly intreated them to engage their Collegue to suspend the prosecution of his design, till the arrival of the Consuls. The Tribunes complied, and even did more than was asked; for they prevailed with *Terentius* (as we shall presently see) to drop the business in reality, though in appearance it was only deferred. The Consuls were sent for home.

Livy,
 ibid.

c. 10.

Lucretius brought with him to *Rome* a prodigious booty; and the,

^a Mr. Vertot calls this *Fabius* a man invariably attached to the Laws and Constitution of the Republick. We shall find him, by and

by, one of the Decemvirs who attempt to establish themselves in a perpetual Tyranny.

whole

whole was exposed, during three days, in the *Campus Martius*, that every man who had been plundered by the enemy might take back his own. This procedure gained the Consul much good-will, and all agreed that he deserved a triumph for his successful Campaign. The triumph was however postponed, he himself judging the affair of *Terentius's* bill (then depending) to be of more importance. Several days was this debated in the Senate, and before the People. At length (says *Livy*) the Tribune yielded to the Majesty of the Consul and desisted; and then *Lucretius* and his army received their due honours. (*Veturius* had only an ovation.)

Year of
R O M E
ccxcii.
Bef. J. C.
Four
hundred
sixty.
Forty-
ninth
Consul-
ship.
D. Hal. B.
10. p. 628.
Livy, B.
3. c. 10.

§. III. TRANQUILLITY continued not long. For no sooner were the Consuls elect, *P. Volumnius* and *S. Sulpicius*, entered upon their office, than all the five new Tribunes (of whom *Virginus* was the warmest) exerted their utmost efforts to get *Terentius's* bill passed. Superstition put some stop to the progress of this important affair. Earthquakes gave the alarm; and then fiery meteors, and other phænomena, purely natural, the vulgar considered as forerunners of greater calamities. And when fear had once taken possession of their minds, spectres were seen by some, supernatural voices heard by others. That a Cow had spoke was a tale which had found no credit the last year, but now it was believed; and the more easily on account of a new prodigy (which no-body questioned, and which had no example on record) a shower of raw flesh, of which, as it fell, some greedy flocks of birds caught a part, and the rest lay long on the ground without corrupting, or having any ill smell.

Recourse was presently had to the Sybilline books; and the Duumvirs (two *Patricians*) who had the care of them, and perfectly understood them, discovered there, that *Rome* was by these prodigies threatened with an invasion from strangers, and that the *Romans* would do well to avoid civil discord. To support the prediction, hasty tidings came from the *Hernici*, that the *Æqui* and *Volsci*, in concert with the new colony of *Antium*, were preparing to attack the Republick. The Tribunes laughed both at the prediction, and at the important news; and accused the Senators (not without reason) of inventing both, to stave off the affair of *Terentius's* bill. And when the Senate had ordered ^b Levies to be made for the war, and the Consuls, erecting their Tribunal in the Forum, would have

^a Mr. *Vertot* understands *Terentius's* bill to have consisted of two distinct articles, the first for a limitation of the Consular Authority, which article he supposes to have been dropped intirely; the second, for introducing and establishing a body of written Laws. I cannot perceive that any other limitation of the Consular Prerogatives was intended by *Terentius*, than what that body of fixed Laws, proposed by him, would necessarily

put to it, and what the Decemviral Laws of the 12 Tables did actually put to it a few years after.

^b *Dionysius* says nothing of the intelligence from the *Hernici*, or the consequent order for Levies of soldiers. He represents (B. 10. p. 629.) the Senate and Tribunes as gravely conferring about the measures proper to be taken for guarding the State against the unknown dangers threatened by the bad omens. He

Year of ROM E. have performed their Commission, the Tribunes interposed. If the Lic-
 ccxii. tors laid hold of any Citizen, who refused to give his name, the Tri-
 Bef. J. C. bunes, aided by the multitude, set him free.

Four §. IV. NOR did these *Plebeian* Magistrates use more violence to
 hundred hinder the Levies, than the Nobles did to hinder the passing of the Law;
 sixty. which was constantly proposed every *comitial* day, and was now couched
 in words to this effect: "That the People, in lawful Comitia, should
 Forty- depute ten persons venerable for their age and prudence, and whose
 ninth " sole ambition was true glory, to form a body of Laws for regulating
 Consul- " both publick and private affairs; that these Laws, when compiled,
 ship. " should be proposed to an assembly of the People; and, when approved,
 D. Hal. B. " and enacted by the People, should be fixed up in the Forum, to the
 10. p. 629. " end that every man might know what were his own rights, and what
 " the rights of the annual Magistrates."

Livy, B. As, in these assemblies, headstrong temerity and violence prevailed,
 3. c. 11. and there was no room for sober and deliberate counsel, the elder Sena-
 tors seldom appeared there; and the Consuls for the most part kept
 away for fear of exposing the dignity of their office to affronts. The
 conduct of the opposition to the Tribunes they generally left to the
 young, rash, audacious Nobles. Conspicuous among these was *Quintius*

He adds, that the assembly agreed upon the expediency of concord in the administration of the publick affairs; but could not agree upon the means to effect that concord. Must the Nobles yield to the Tribunes, or the Tribunes to the Nobles? The Consuls and the chief Senators alledged that the Tribunes, by attempting innovations in the Government, ought to be deemed the authors of all the civil feuds. On the other hand the Tribunes charged the Consuls and the *Patricians* with being the sole causes of the disturbances, by their unreasonable opposition to a wholesome bill, which tended only to establish a just equality among the Citizens. Finding their remonstrances ineffectual, they had recourse to the People.

The same Historian reports, that, in the assembly to which the Tribunes proposed the Law, there were many of the elder Senators as well as of the younger, who delivered studied speeches against it, and that the debate lasted several days; till the Tribunes, vexed at the loss of so much time, refused to hear any more remonstrances, and appointed a day for coming to a final determination upon the question; and, when they had exhorted all the *Plebeians* to be then present, in order to give their suffrages by Tribes,

they dismissed the assembly. That, after this, the Consuls and most considerable men of the *Patricians* inveighed in very sharp terms against the Tribunes, and protested that they would never suffer the introduction of new Laws, which had not first passed the approbation of the Senate. They said, (p. 630.) "that Laws were a sort of compact
 " between all the members of a State, and
 " not rules dictated by one part of it only.
 " That when a part, the ignoble and worse
 " part, took upon them to prescribe Laws
 " to the noble and better, destruction must
 " inevitably be the consequence. What
 " right (said they) have you Tribunes to
 " enact Laws or to abrogate Laws? your
 " authority is but an emanation from that
 " of the Senate. The purpose of your insti-
 " tution was only to succour the poor Ci-
 " tizens when oppressed; and this privi-
 " lege was granted conditionally that you
 " should attempt nothing farther, and you
 " have forfeited this privilege by the
 " changes you have made with regard to
 " the *Comitia* held for your elections, &c."
Vid. supr. p. 277. The Historian adds, that after these expostulations they had recourse to violence, and that *Cæso* was their chief instrument, &c.

Cæso, a person of high birth (being the son of *Quintius Cincinnatus*) approved courage in war, and of an extraordinary size and strength of body. With these advantages he had the talent of oratory. The Republic could not boast of a braver soldier, or a readier speaker. This youth, when incircled with his band of Nobles, as if his strength and eloquence had invested him with all consular, and even dictatorial power, stood forth the bulwark of the Senate; and not only sustained the most stormy efforts of the Tribunes, but frequently drove them and all their *Plebeians* out of the Forum. Whoever offered to resist did not fail to be severely treated, stripped of his cloaths and sent away naked: so that the Tribunes plainly saw their bill was lost, if *Cæso* were suffered to go on at this rate. Four of them he had quite disheartened by his overbearing violences; but *Virginus*, who had a spirit not easy to be daunted, cited him to trial before the People, on a capital accusation. *Cæso*, rather enraged than terrified by this affront, became more insolent and audacious than ever in the war he made upon the *Plebeians* and their Tribunes. His accuser, during the interval between the summons and the day for trial, gave him free scope to hurt himself, and frequently proposed the Bill, not in hopes of passing it, but to provoke the young man to furnish, by new misdemeanors, more matter for his impeachment, which he failed not to do; and every odious thing, done or said by any of the other young *Patricians*, was imputed to *Cæso*; who, nevertheless, continued forcibly to hinder the passing of the Bill into a Law. At length *Virginus*, addressing himself to the *Plebeians* assembled, “You see, *Romans*, that it is impossible for you to obtain the Law you so much desire, while *Cæso* continues a Citizen of *Rome*. But why do I speak of that Law? He stands in the way of your liberty; and, in pride, surpasses all the *Tarquins* that ever lived. This youth, so audacious and violent while only a private Citizen, must doubtless make an excellent Magistrate. What think you? shall we patiently wait till we see him Consul or Dictator?”

At these words, many from among the multitude, and especially those who had been roughly treated by *Cæso*, vehemently called out to the Tribune to persist in the prosecution of the delinquent, and to do his utmost to bring him to condign punishment.

§. V. THE day for the trial came; and the *Plebeians* in general, by their warmth and earnestness, seemed to think that their liberty depended on the condemnation of *Cæso*. Urged therefore by necessity he, with much inward indignation, went about soliciting the favour even of the

Year of
R O M E
CCXCII.
Bef. J. C.
Four hundred six-
ty.

Forty-
ninth
Consul-
ship.
Livy, B.
3. c. 11.
D. Hal. B.
9. p. 630.

^a This is *Livy's* account.

Pliny, p. 631, says nothing of the timorous and submissive behaviour of *Cæso*; but, on the contrary, that, when he was called upon to plead, he refused to own the jurisdiction of the Assembly, offering at the same time to submit himself to the judgment of

the Consuls, whom he regarded as his only lawful Judges.

And this Historian introduces no other advocate pleading for *Cæso*, but his own father *L. Quintius Cincinnatus*, into whose mouth he puts the substance of all that *Livy* imputes to other speakers.

Year of
R O M E
CCXCII.
Bef. J. C.
Fourhun-
dred fix-
ty.
Forty-
ninth
Consul-
ship.

meanest among them. His relations and friends made themselves his advocates to the Assembly; yet they did not attempt to clear him of the violences laid to his charge, but answered the invectives of the Tribunes against him by expatiating on his real merit. His uncle *T. Quintilius*, after recounting the honours which he himself and others of the *Quintilian* name had acquired by their exploits, affirmed, that neither his family nor even the *Roman* State had ever produced a finer genius, or a warrior of more consummate bravery than *Cæso*; whom, when he served under him, he had often seen behave himself so gallantly in fight, that he had marked him for the prime soldier in the army. *Sp. Furius* (who had been Consul in 289) bore testimony to the successful valour which *Cæso* had exerted, when sent by his uncle *Titus* to rescue him and his army out of imminent danger. *Lucretius*, one of the last year's Consuls, covered with fresh laurels, shared his glory with *Cæso*, enumerating his many valiant deeds both in expeditions and in pitched battles; and he admonished the assembly to make it their choice, that a young man of so excellent natural endowments, and who could not but be a valuable possession to any State to which he should belong, might rather be a Citizen of *Rome* than of any other City. He added, that increase of years would gradually diminish in him that indiscreet ardour and too forward boldness which gave offence, and that experience would teach him the only thing he wanted, prudence. And he pressed them therefore that they would suffer to grow old among them so great a genius, whose faults were decaying and virtues ripening.

L. Quintilius Cincinnatus pleaded likewise for his son, not by extolling his merit (for he feared lest that would serve only to exasperate his enemies) but by humbly intreating the Assembly to impute his errors to his youth, and to forgive them for the sake of his father, whom no man could accuse of having injured them in any instance by word or deed.

D. Hal. B.
9. P. 631.

Virginus, perceiving that the multitude were softened towards the accused by these intercessions, and the merit of the intercessors, and fearing that, if *Cæso* escaped with impunity, the young Nobles would become more insolent than ever, answered *Cincinnatus*, "That his son was the more inexcusable, for his having had the example of so good a father, whereby to regulate his conduct, and having totally neglected to follow it." He added, "You, *Lucius Quintilius*, are doubtless in a great measure ignorant of the crimes and misdemeanors of this unworthy son, who is no less a reproach to you, than a plague to his Country: but, that you may be better acquainted with his character, please to hear a relation of one of his noble deeds, and compare it with those his exploits in war that have gained him so much glory; and let the Assembly judge whether it be adviseable to shew indulgence to such a Citizen."

Ibid. p.
632.
Livy, B.
3. c. 13.

Then calling upon one *Volsenius* (who stood prepared to act a part which had been concerted between them) he bid him recount what he knew

knew of *Cæso's* behaviour. *Volscius*,^a directing his speech to the People, said, "I could have wished it had been in my power sooner to bring my complaints for the death of a most dear brother whom *Cæso* murdered. It was in the Consulship of *L. Æbutius* and *P. Servilius*, when *Rome* was afflicted with the Plague. Returning home one evening, my brother and I, from a friend's house, where we had supped, we met *Cæso* with some of his libertine companions, who together had been making a debauch. They at first attacked us with abusive language, such as young men full of wine are wont to employ when they would insult poor Citizens whom they despise. My brother answering one of them as a man of spirit would do, *Cæso* instantly knocked him down, and with his fists and his feet so bruised him, that he (not perfectly recovered of the epidemick sickness with which he had been seized) remained half dead upon the ground. I had him conveyed home in mens arms, he died presently after, and it was judged that he died of the blows he had received. I could not carry my complaints to the Consuls, they dying the same year of the Plague. Their successors *L. Lucretius* and *T. Veturius* were a long time in the field. At their return I cited *Cæso* several times to appear before them: but instead of justice I got nothing from him but blows."

Year of
R O M E
CCXCII.
Bef. J. C.
Four hun-
dred fix-
ty.
Forty-
ninth
Consul-
ship.

This story blew the People up to such a rage, that some of them seemed disposed, without examining into the truth of the fact, to kill *Cæso* upon the spot. The Consuls, and even the Tribunes themselves, gave a check to this extravagance. But *Virginius* commanded to lay hold on *Cæso* and carry him to prison, there to be detained, till he should be brought to trial for his life on *Volscius's* accusation. The *Patricians* forcibly opposed the execution of this order, and *Tit. Quintius* remonstrated to the Assembly, that it was utterly illegal to do violence to the person of any Citizen unheard and uncondemned, though he were accused of a capital crime. *Virginius* answered, that he had no intention to punish *Cæso* before condemnation, but that his person ought to be secured in prison to the day of trial, that the *Roman People* might have it in their power to inflict due punishment on a murderer. The other Tribunes, being appealed to, took a middle way; they agreed that *Cæso* should not be imprisoned, but should give security to appear in judgment on the day appointed. It was referred to the Senate to name the sum in which each surety shall be bound; and *Cæso* was held in arrest in the Forum, during the deliberation of the fathers on this matter; they fixed the sum at 3000^b Asses. It being left to the Tribunes to determine the number of the sureties, they demanded ten; and accordingly ten were bound for

D. Hal. B.
9. p. 633.
Livy, B. 3.
c. 13.

^a *Dionysius* makes this *Volscius* to be one of the present Tribunes. *Livy* says he had some years before been Tribune. According to *Pighius* there was a *Volscius* among the Tri-

bunds in the Consulship of *Æbutius* and *Servilius*, when the pretended quarrel is said to have happened.

^b About 9 l. 13 s. 9 d. *Arbutnot*.

Year of *Cæſo's* appearance, and he releaſed. This was the firſt inſtance of ſecurity
 R O M E given to the *Publick* for appearance. *Cæſo* that very night left *Rome* and
 CCXCII. retired into *Hetruria*.
 Bef. J. C.

Four hun- When the day, fixed for the trial, came, it was urged, that, *Cæſo* having
 dred fix- baniſhed himſelf, all proceedings ought to be ſtopped; *Virginus* neverthe-
 ty. leſs held the *Comitia*: but the other *Tribunes*, being appealed to, diſ-
 miſſed the *Aſſembly*. The ſurety-money was however rigorouſly exacted.

Forty- *Quintus Cincinnatus* would not permit the other ſureties to be ſufferers;
 ninth and, to ſatisfy the whole demand, ſold the better part of his eſtate, retiring
 Conſul- ſhip. to a poor cottage on the further ſide of the *Tiber*, where with his own hands
 D Hal.B. he cultivated a few acres of land, which, from his name, were afterwards
 10 p.633. called the *Quinctian Meadows*.
 Lavy, B.
 3 c. 13

C H A P. XXI.

§. I. *The Patricians continue ſteady in their oppoſition to the Bill, and con-
 duct themſelves in that oppoſition with more art than they had hitherto done. The
 Tribunes, not able to carry their point, ſpread falſe reports, injurious to the
 Senate and the whole body of the Nobles.*

D. Hal. B. §. I. **T**HE *Tribunes*, elated by their new victory, believed them-
 10 p. 634. ſelves now ſecure of getting *Terentius's* Bill paſſed. They
 Lavy, B. imagined, that the *Patricians*, intimidated by the baniſhment of *Cæſo*,
 3 c. 14. would infallibly ſtoop to them; and they flattered themſelves the more
 readily with this hope, becauſe the elder *Senators* (who kept pretty much
 out of ſight) ſeemed to yield to them the poſſeſſion of the Government.
 Vain was their hope; they were totally diſappointed. For the younger
Nobles, and eſpecially the late companions of *Cæſo*, had loſt nothing of
 their boldneſs; their anger againſt the *Commons* was augmented, and
 they had learnt to guide its fury more artfully than before. Whenever
 the Law was propoſed, and the *Tribunes*, by attempting to remove them
 from the *Aſſembly*, had furniſhed them with a pretext for violence, they
 attacked thoſe *Plebeian* Magiſtrates in ſuch a manner, that no one of the
 aſſailants could be ſingled out as more guilty than any other. The *Peo-
 ple* complained, that, inſtead of one *Cæſo*, they had now to do with a
 thouſand. In the intermediate days, when the Law was not in queſtion,
 no men more peaceable and gracious than theſe young *Nobles*; they
 courteouſly ſaluted the *Plebeians*, accoſted them familiarly, invited them
 to their houſes, frequented the *Forum* to aſſiſt them in their cauſes, and
 even permitted the *Tribunes* unmoleſted to hold Councils of the *Com-
 mons*, and do any buſineſs they pleaſed, that of the Law only except-
 ed: nay, without ſo much as throwing out a word of contradiction,
 they ſuffered thoſe *Plebeian* Magiſtrates to be rechoſen, for the coming
 year, to the ſame office; condeſcenſions and compliances by which they
 gradually ſoftened the multitude and blunted the edge of their zeal for
 the

the Law: and by this various management they effectually defeated every attempt to get it passed, throughout the whole year of *Volumnius* and *Sulpicius*.

Year of
R O M E
CCXCIII.
Bef. J. C.
Four hun-
dred fifty-
nine.
Liv. B. 3.
c. 15.

These Consuls gave place to *P. Valerius* and *C. Claudius* (brother of *Appius* who killed himself) but the Bill continued to be the sole object of the publick attention. The more the young Nobles insinuated themselves into the affections of the *Plebeians*, the more did the Tribunes endeavour to instil into the minds of the same *Plebeians* suspicions of those Nobles, by loading them with calumpnies. They gave out, "That there was a conspiracy on foot; that *Cæso Quinctius* was actually in *Rome*; that measures were concerted to murder the Tribunes and massacre the Commons. That the elder Nobles had commissioned the younger to suppress the Tribunician Power, that so the Republick might be restored to the same form of Government in which it was before the *Secession*."

Fiftieth
Consul-
ship.

This is *Livy's* account (and it is all that he says) of the management of the Tribunes to render ineffectual the artifices of the young *Patricians* with regard to the *Plebeians*; and there is nothing incredible or extraordinary in this account. When discord prevails, and faction runs high in a City or a State, such slanderous reports, *lies of a day*, are common^a. But *Dionysius* (incited perhaps by his passion for speech-making, or a desire to please the *Claudian* family) has expatiated on this matter, and given us a long tale, the most material circumstance of which seems equally incredible and ridiculous; and the introduction to his tale is very well suited to it. *Rome*, says he, was threatened with a more terrible war from the neighbouring powers, than it had ever yet sustained. And this danger it was brought into by its intestine divisions, conformable to the prediction of the Sybilline oracles, and the forwarnings of heaven by the last year's prodigies, the spectres, miraculous voices, shower of raw flesh, &c. [What the Cow said was spoken the year before.]

B. 10. p.
634.

The Tribunes, perceiving that the Consul *Claudius* had inherited the implacable hatred of his family to the Commons, and was prepared to oppose their demands with all his power; and finding the faction of the young Nobles too strong to be quelled by force, especially since these, by their caresses and soothing arts, had conciliated to them many of the *Plebeians*, and cooled their ardour for passing the Law; they, in order to strike a terror into the *Plebeians* [so gained] and to get the better of *Claudius*, impudently contrived the following stratagem. Having first alarmed the multitude, by spreading abroad various rumours, all importing mischief that hung over the State, the five Tribunes, sitting in the Forum from morning to night, and seeming full of anxious care,

^a Mr. Rollin thinks it not improbable that the Tribunes had received some imperfect information of the conspiracy which presently after broke out, and of which *Herdonius* the *Sabine* was the conductor; and that, by their hatred to the *Patricians*, they were carried to suspect these, their domestick adversaries, of the mischievous designs formed by a foreign enemy.

Year of
R O M E
CCXCIII.
Bef. J. C.
Four hun-
dred
fifty-
nine.
Fiftieth
Consul-
ship.

D. Hal. B.
10. p.
635. &
109.

held consultations, to which they admitted no other person. This part acted for some days, they forged a letter, and caused it to be delivered to them in the sight of all the People, by a person unknown. On reading the contents they start from their seats, strike their foreheads with their hands, put on looks of extreme surprize and sorrow, and, when by all this they have drawn about them a numerous crowd (earnest to know what the letter contained) "*Romans*, says *Virginus*, the Commons of *Rome* are in the utmost perih. If the Gods, protectors of innocence, had not interposed, we had been inevitably undone. Be pleased to remain here till we have acquainted the Senate with our intelligence, that so all may unite in taking measures for the preservation of the Republick." This said, away they went to the Consuls. While the Consuls assembled the Senators, various were the discourses and imaginations of the People in the Forum, concerning the contents of the letter. The Emissaries of the Tribunes, following their instructions, put about reports expressly contrived for the occasion. The rest believed and spoke each man according to his fears. Some said, the letter doubtless imported that *Cæso Quintius* had been chosen General of the *Æqui* and *Volsi*, and was coming with a numerous army to attack *Rome*. Others knew for certain, that *Cæso's* business was only to crush the Commons of *Rome*, deprive them of their privileges, and abolish the Tribuneship; and that with the universal consent of the *Patricians* he had undertaken to do this by the means of a foreign army. No (said others) not all the *Patricians* are in the conspiracy, but the younger of them only; and many affirmed that *Cæso* was not coming, but was already in the City, though concealed, and was actually contriving with his associates to seize the fortresses and all the advantageous posts.

The Senate being assembled, *Virginus*, in the name of the whole College of Tribunes, delivered himself in words to this effect:

"Many rumours, *Conscript Fathers* have of late prevailed in the City concerning some great evil with which we are threatened; but, as they were uncertain and devoid of proof, we durst not report them to you, lest our so doing should raise a commotion, and you should think us more hasty and rash than prudent. We did not however neglect these rumours, but used our best endeavours to discover the ground of them. At length the Divine Providence, perpetual Guardian of this Republick, has brought to light the hidden counsels of impious men. We have just received a letter from strangers, who have shewed, that they have a true affection for us, and whom we shall hereafter name to you. Our foreign intelligence agrees exactly with the rumours at home. The danger presses; measures to ward it must be immediately taken; but we resolved (as was fitting) to lay the matter open to you, before we informed the People of it.

"Know then, that there is a conspiracy formed against the Commons of *Rome*, by persons of distinction; among whom, it is said, there are some, not many, of the elder Senators; that the greater number of

" the

“ the conspirators are Knights not yet received into the Senate, and
 “ whom it is not yet time to mention by name. They have resolved
 “ (so were are informed) to take the opportunity of some dark night to
 “ attack us in our sleep. Breaking into our houses, they are to cut the
 “ throats of the Tribunes, and of all those *Plebeians* who have distinguish-
 “ themselves by a zeal for the liberty of the People. And, when we
 “ are once taken off, they think they shall easily prevail with you to re-
 “ voke, by an unanimous decree, all the concessions you have made to
 “ the Commons. And, as they say, that a considerable number of so-
 “ reign soldiers would be necessary for the execution of this design, they
 “ have associated in their enterprise one of your exiles, *Cæso Quintilius*,
 “ and have made him the chief conductor of it, a man whom, though
 “ convicted of sedition and murder, some, here present, rescued from
 “ punishment by contriving his escape from *Rome*. To him the con-
 “ spirators have promised magistracies and honours, and other rewards, of
 “ his noble exploits. He, on his part, has engaged to bring to their as-
 “ sistance, of the *Æqui* and *Volsci*, such a force as they want. In a short
 “ time he is to be here with some of the most daring of them, whom
 “ he is to introduce into the City, not all together, but secretly one by
 “ one, or in small numbers successively. The rest are soon to follow,
 “ and, when we the Tribunes are slain, fall without mercy upon every
 “ poor *Plebeian*, who shall offer to defend his liberty.

“ In this extremity of danger we have recourse to you, *Conscript Fa-*
 “ *thers*, and conjure you, by all that is most sacred, not to abandon us
 “ to the rage and cruelty of these our wicked enemies; but to aid us
 “ in taking due vengeance on the authors of so detestable an enterprise.
 “ The first thing we humbly intreat of you is (and nothing can be more
 “ reasonable) that by a Decree you authorise us Tribunes to take infor-
 “ mations against the conspirators. It is surely fitting, that, in such an
 “ inquisition, the persons whose lives are threatened by the plot, should
 “ be the inquisitors. If there be any man here, who shall oppose this
 “ demand, he must either be out of his wits, or deeply engaged in the
 “ conspiracy.”

The Senators were greatly astonished at this relation, and no less per-
 plexed by the Tribunes request: They laid their heads together, but
 could not resolve what answer to make. They feared to grant what the
 Tribunes demanded, and they feared to refuse it. *Claudius*, the Consul,
 suspecting some deceit, delivered them out of their Dilemma. Rising up,
 he thus answered, “ You are extremely mistaken, *Virginus*, if you ima-
 “ gine that any member of this house is so foolish, or such an enemy to
 “ the People, as to be against an inquiry into the Plot you speak of (if
 “ any such plot there be) or against admitting the Tribunes into the
 “ number of the inquisitors. But, to tell you my mind freely (and I
 “ have no apprehension of being thought one of the conspirators) I look
 “ upon this whole matter as a pure invention and stratagem of your
 “ own, to revenge yourselves on us for our opposition to your Bill. If
 “ there

Year of
 ROME
 CCXIII.
 Bef. J. C.
 Four
 hundred
 fifty-
 nine.
 Fiftieth
 Consul-
 ship.

D. Hal. B.
 10. P.
 637. &
 seq.

Year of
R O M E
CCXCIII.
Bef. J. C.
Four hun-
dred fifty-
nine.

Fiftieth
Consul-
ship.

“ there be any plot on foot, you are the plotters. The result of those
“ long and close consultations you held in the Forum was this notable
“ scheme. You were first to alarm the People with rumours of impend-
“ ing danger, and by this prepare their minds to receive implicitly any
“ dreadful story you should afterwards please to give out. Then a per-
“ son unknown was to deliver to you, in publick, a letter, containing
“ intelligence of a conspiracy against the Commons of Rome. Thus fur-
“ nished with matter of complaint, you were to come to Senate, be
“ very angry, and demand a Decree empowering you to sit inquisitors
“ on this important affair. Thought you, *If the Patricians reject our*
“ *request, we can take occasion from thence to make them very criminal in the*
“ *eyes of the People, who, exasperated to the pitch of fury, will be ready to*
“ *execute whatever we shall prompt them to; on the other hand, if the Pa-*
“ *tricians grant our request, we will then charge with treason all those of*
“ *them, old and young, who have shewn the most resolution in opposing our*
“ *measures. The fear of a condemnation will either make them promise never*
“ *more, to oppose us, or compel them to leave the City. And thus we shall re-*
“ *duce our adversaries to a very inconsiderable number.*

“ Such, *Conscript Fathers*, was the stratagem formed against the most
“ worthy of our Senators, such the snares laid for the innocent Knights.
“ And that what I say is true a few words will evince.---Tell us, *Virgi-*
“ *nius*, and you, the rest of the Tribunes, all in such imminent peril,
“ Who are those strangers from whom you received your intelligence?
“ Where do they dwell? How came you acquainted with them? And
“ how came they to be so well acquainted with our councils and designs?
“ Why delay to tell us who they are? Why promise to name them here-
“ after? You ought to have done it already. And where is that man,
“ who brought you the letter you talk of? Why don't you produce
“ him, that we may examine him, and thereby know whether what you
“ say have any foundation of truth, or be only (as I suspect) a tale of
“ your own forging? And then as to your *domestick* intelligence, which
“ agrees so perfectly well with your *foreign*, what was it? Who gave it
“ you? What makes you conceal your proofs, and not rather display them
“ before us? But, in truth, it is not easy to prove what never was, nor
“ is, nor will be.

“ *Conscript Fathers*, the thing speaks itself. The Tribunes have for-
“ med a plot against us, and they would cover their fraud, by pretending
“ that we have formed one against them. You may thank yourselves
“ for this. You encouraged them to it, by arming those frantick Ma-
“ gistrates with such power, as you suffered them to assume, when they
“ condemned *Cæso Quinctius*, the brave defender of the Nobles, upon a
“ false accusation. Since that time they keep no measures. They no
“ longer point their wrath at this or that particular Senator, but at the
“ whole body of the *Patricians*; they are for driving every honest man
“ out of Rome. My advice is, that you keep a very watchful eye upon
“ these Tribunes, as upon seditious men, the contrivers of mischief. And

“ I

"I shall make no difficulty to warn the People, as I warn you. I shall freely tell them, that they have nothing to fear, but from the malicious devices of their own deceitful Magistrates, who, under the cloak of friendship, are their greatest enemies."

Year of
R O M E
CCXIII.
Bef. J.C.
Fourhun-
dred fif-
ty-nine.

The whole Senate highly applauded this discourse of *Claudius*; they would listen no more to the Tribunes; and the Assembly broke up. *Virginius* with his Collegues hastened back to the People (who in the Forum waited their return) and inveighed most bitterly against the Consuls and Senators. *Claudius* presently appeared, and, by repeating what he had just said in the Senate-house, convinced all the sober-minded, sensible men of his audience that the pretended plot was a mere forgery. The weaker sort however continued to believe it true; and as for the profligate and ill-intentioned part of the multitude, men greedy of novelties, they did not care whether it were true or not: all they wanted was a pretext for sedition.

Fiftieth
Consul-
ship.
D. Hal. B.
10. p.
639.

SUCH is the story, *Dionysius* has given us, of the deep-laid scheme, the wonderful contrivance of the Tribunes to prevent any farther opposition to their Bill. They gravely and pathetically request of the Senate to erect them into a court of inquisition for examining into the treasonable practices, and disposing of the liberties and lives of the Roman Senators and Knights. And the ground of this modest demand is a letter which they pretend to have received from some strangers, advising them of a plot formed by the Nobles of *Rome* against the Commons. The Senators, though they lay their heads together, are embarrassed, and much at a loss for an answer. But, the Consul *Claudius* being a man of deep penetration, and a ready wit, it comes into his mind to ask the Tribunes, *Who sent the letter?* and *who brought it?* and they won't tell; and so there's an end of the matter.^a

^a Mr. *Vertot* is so fond of this story, that he has given himself the pleasure to improve it. *Dionysius* imputes to the Tribunes no other aim in their device, but to terrify the *Plebeians*, and make them entertain a suspicion of those young Nobles who affected popularity. And, when he introduces *Claudius* as an Orator displaying the malice of the Tribunes, the worst charge he puts into his mouth against them is a design to compel, by fear of condemnation, the most vigorous opponents of their bill, either to desist from their opposition or to leave the city. But Mr. *Vertot* roundly asserts, that the Tribunes secretly formed the dreadful design of cutting off at one stroke the better part of the Senate, and of involving in the same ruin all the *Patricians*, who on account of their credit or riches were odious to them and suspected by them: *Ils formerent secretement l'affreux dessein de faire perir tout d'un*

coup la meilleur partie du Senat, & d'envelopper dans leur ruine tous les Patriciens qui leur étoient odieux & suspects par leur credit ou par leurs richesses. The Abbé forgets that in those days the Romans were not so thrifty of civil blood. They could be very angry with one another, and belie one another, and box and kick, but were not disposed to murder in their quarrels. And it is not a whit more probable that the Tribunes projected such a terrible slaughter of the Nobles, than that the Nobles projected a massacre of the Tribunes and the other principal men of the *Plebeians*. Nay, if we may judge of the honesty of the parties, by the cause in dispute, the Tribunes will have the advantage. For their bill, which the *Patricians* opposed by illegal violences, was a very good bill, and tending much to the benefit of the commonwealth.

C H A P. XXII.

§. I. *The Capitol is surpris'd by a foreign enemy, the Plebeians refuse to arm in order to retake it. Valerius the Consul overcomes their obstinacy, and the Capitol is recovered.*

Year of §. I. **I**N the midst of these intestine quarrels and commotions, the Ca-
 R O M E pitol and the Fortrefs adjoining to it were one night surpris'd
 CCXCIII. and seiz'd by 4500 men, outlaws and slaves, under the conduct of a cer-
 Bef. J. C. tain Sabine named *Appius Herdonius*. He put to the sword all the *Romans*
 Fourhun- he could find there, who refused to join him in his enterprife: Those
 dred fif- who escap'd ran down into the Forum with the utmost speed of fear,
 ty-nine. crying out, *To arms! to arms! The enemy is in the City.* The Consuls,
 Fiftieth not knowing, whether this sudden evil came from foreign or domestick
 Consul- foes, from the discontent and enmity of the Commons, or a plot of the
 ship. slaves, were both afraid to arm the *Plebeians*, and afraid to leave them
 Livy, B. 3. unarmed; nor could they bring the multitude, struck with consterna-
 c. 15. tion and affright, under any Government; sometimes their endeavours
 to appease the tumult made it more stormy. They gave out arms, but
 not to all indifferently, to such only as they could most confide in, a num-
 ber sufficient for defence, till it could be known what enemies they had
 to deal with; and, full of anxiety, they pass'd the remainder of the night
 in posting guards at all the proper places. Day-light discover'd both
 whence the war came, and who was the conductor of it. *Herdonius* from
 the Capitol cried out, *Liberty to all slaves! I have undertaken the cause of*
the miserable, to restore the exiles to their country, and to remove the heavy yoke
of servitude from the necks of those who bear it. It would be my choice, that
the Roman People should themselves do this. But, if they refuse, I will bring
hither the Æqui and Volsci, and leave nothing unattempted to accomplish my
purpose. The mystery being now somewhat explained, the Consuls and
 Ibid. c. Senators became very uneasy with the apprehension lest the enterprife
 16. should have been concerted with the *Sabines* and *Veientes*, whose forces
 would presently appear to support it; and lest the *Æqui* and *Volsci*, eter-
 nal enemies of *Rome*, should now come, not to plunder the frontiers as
 formerly, but to assault the City. But their greatest dread was of their
 slaves at home, no man knowing but he had an enemy in his own house.
 It was dangerous to trust them, and dangerous to shew a distrust of their
 fidelity. Affairs seem'd in so desperate a condition, that even concord
 among the Citizens would scarce be sufficient to preserve the State; and,
 while such heavy calamities hung over it, no-body fear'd any thing
 from the Tribunes or the *Plebeians*. The evils of which these were
 wont to be the authors were of a gentle kind, and ever occasioned by
 the absence of all other evils; and the terror of a foreign enemy seem'd
 now to have laid asleep the animosity of the Commons. Nevertheless,
 it

it was this that bore heaviest upon the Republick when thus inclining to a fall. For, as the Consuls had at first doubted whether the alarm from the Capitol were not some stratagem of the Tribunes in favour of their Bill, so the Tribunes suspected the same alarm to be a contrivance of the Nobles to defeat the Bill. They bawled out, *No invasion! An imaginary war! A trick to make us forget the Bill! The Bill once passed, those clients and guests of the Patricians will steal away more silently than they came!* Instantly they send to the People to quit their arms and assemble upon the affair of the Law. In the mean time the Consuls convene the Senate; and the Fathers are now struck with more fear by the Tribunes than they had been by the nightly invasion of the enemy. Word is brought that the soldiers have laid down their arms and quitted their posts. The Consul *Valerius* rushes out of the Senate-house, hastens to the Forum, expostulates with the Tribunes "on their madness in calling the People from their arms to attend to Law-making, while the enemy is over their heads. *Are you then in confederacy with Herdonius? He who could not intice our slaves to join him, has he drawn you to his party?*" Then, turning to the People, he urges them with motives from Religion, "their reverence for *Jupiter, Juno, Minerva*, all the Gods and Goddesses now prisoners to a foreign enemy, nay in captivity to slaves. *O Father Romulus, inspire thy People with the same spirit which animated thee, when thou didst bravely recover the Citadel from the Sabines! Move them to march in the same path, by which thou didst conduct thy army! lead them on! As far as a mortal can follow a God, I will be the first to follow thee and tread in thy steps.*" He concluded, with declaring, "that he then called every Roman to arms; and that, without regard to the bounds of the Consular Authority, or the extent of the Tribunician, or the *Leges sacratæ*, he would treat every Citizen who disobeyed his orders, as an open enemy to his country. That the Tribunes, who had forbid them to fight against *Herdonius*, might, if they pleased, command them to take arms against *Valerius* the Consul: but that he should make no scruple to do by those Magistrates as the founder of his family had done by the *Tarquins*."

All this was of no effect. The Bill! The Bill! Let us pass the Bill! Ibid. Yet the Tribunes were not able to proceed in this affair; nor could the Consul prevail with the People to march to the Capitol. Night put a stop to the contention. During the night, fear of the armed Citizens, whom the Consuls had at their devotion, kept the Tribunes quiet. These out of the way, the Senators went diligently about among the *Plebeians*, admonishing and intreating them to consider "into what extremity of danger they brought the Republick. That the contest was not now between the Nobles and the Commons, that both Nobles and Commons, the Citadel, the Temples of the Gods, the tutelary Gods of the State, the domestick Gods of every private Citizen were just upon the point of being yielded into the power of foreign enemies." While

Year of the Senators were employed in these attempts to bring the multitude to
 ROME reason, the Consuls, lest the *Sabines* and *Veientes* should come suddenly
 CCXCIII. and attack the City, busied themselves in posting guards to defend the
 Bef. J. C. gates and walls. At day-break a body of men appeared in the field ad-
 Four hun- vancing towards *Rome*. These at first could be no other than enemies,
 dred fifty- they must be the *Aequi* and *Volsci*: However, to the great joy of the City,
 nine. they were soon discovered to be *Tusculans*, coming to the assistance of the
 Fiftieth *Romans* their allies.

The news of the Capitol's being surprised, and of the dissensions in
 Consol- *Rome*, having the night before reached *Tusculum*, *Mamilius*, the chief Ma-
 ship. gistrate of the place, had represented to the Council, that they could never
 Livy, B. hope from the Gods so fair an opportunity of obliging a powerful and
 3. c. 18. neighbouring State, and had persuaded them to prevent all application
 from the *Roman* Senate for succour. These forces, admitted within the
 walls, marched straight to the Forum, where *Valerius* (having left his Col-
 league to defend the gates) was drawing up his men in order, for battle.
 He had prevailed with the *Plebeians* (in spite of all the clamours and
 remonstrances of their Tribunes) to insist themselves, and take the mi-
 litary oath, by giving them his solemn promise, "that, the Capitol once
 " recovered, and the City restored to quiet, if they would then suffer
 " themselves to be informed of the deceitfulness of the Tribunes, and
 " the mischiefs concealed under their specious Law, he, for his part,
 " calling to mind his ancestors, and that surname, † together with which
 " they had transmitted to him an hereditary concern for the interests of
 " the People, would give no disturbance to the Councils held by the
 " Commons."

† Popli-
cola.

And now the *Romans* and their auxiliaries, rivals for the glory of re-
 taking the Capitol, briskly advanced, and forced their way up the hill,
 notwithstanding the enemy's advantage of the ground. They had reach-
 ed the Portico of the Temple, when *Valerius*, fighting in the foremost
 rank, received a mortal wound. *Volumnius*, a consular person, who saw
 him fall, instantly covered his body, took his place and his charge, and
 kept the then so warmly and intently engaged in the attack, that
 they gained the victory before they perceived, that they had lost their
 General. Great was the slaughter of the invaders, the temple polluted
 with their blood, *Herdonius* ^a himself slain, the prisoners punished suit-
 ably

^a *Livy's* relation (brief as it is) of this ad-
 venture has been followed in the text. He
 calls *Herdonius* a *Sabine*, but says nothing of
 his character, his rank, or the situation of life
 he was in, when he undertook to seize the
 Capitol; or of the ultimate end he proposed
 to himself in that enterprise: nor does he in-
 form us how, or from whence *Herdonius* col-
 lected such a number of exiles and slaves, or
 what made it so easy for him to possess him-
 self in the night of the Temple and Citadel.

Probably the *Latine* Historian had not suffi-
 cient light into these particulars. But *Dionysius*,
 who is rarely ignorant of any thing
 knowable or unknowable, tells us, 640, that
 the *Sabine* *Herdonius* was a man of distinction
 in his own country for his birth and riches;
 that those who followed him in his undertak-
 ing were his own clients and domesticks,
 to the number of about 4000, and that he
 purposed to destroy the *Roman* Power. How-
 ever, the Historian cannot say, whether by
 this

ably to their respective ranks of freemen or slaves. The *Tusculans* received the publick thanks. The Temple was purified: and the People are said to have cast farthings into the house of *Valerius*, in order to his more pompous funeral.

Year of
R O M E
CCXCIII.
Bef. J. C.
Four hundred
fifty-nine.

this destruction *Herdonius* meant to make himself tyrant of *Rome*, or to subject *Rome* to the *Salines*, or only to acquire a great name by his exploits. When he had prepared a sufficient quantity of arms, provisions, and all things necessary for the expedition, he embarked his 4000 men on some river-boats, which gliding down the *Stream* of the *Tiber*, he arrived at *Rome* about midnight, when all was quiet; landed on the bank of the river next the Capitol, and not above a furlong from it. That, the gate *Commentaris*, at the foot of the hill, being always, by the express command of an oracle, left open, he there entered, and, silently mounting the steep ascent, seized the temple and Fortrefs. That he hoped, when possessed of this strong place, to be joined by the exiles, the slaves, the insolvent debtors, and all the worst part of the *Roman* populace, whose wretchedness, he thought, held them ready for any change that could be proposed: He placed great confidence in the discord reigning at *Rome*, imagining that the *Plebeians* would not unite with the *Patricians* to oppose him. And, in case these hopes failed, he resolved to invite to his assistance a numerous army of *Sabines* and *Volsci*, and other neighbouring nations, who would be glad of an opportunity to shake off the insupportable yoke of the *Roman* Government. *Herdonius* was disappointed in every expectation. Neither the exiles, nor the slaves, nor the debtors, nor the indigent populace of *Rome*, repaired to him. Nor had the strangers, on whose aid he so much depended, the time necessary to prepare for the war: for the whole affair was over in three or four days.

Upon this relation, given by *Dionysius*, I shall only observe, that his well born, wealthy, and powerful *Sabine*, so much at his ease at home, must have been somewhat mad to embark in such an enterprise without a previous approbation of it by the Governors of his own nation; any preparation on their

part to assist him in it, or even any promise of assistance from them, or from any other of the neighbouring States; and without having any intelligence with the discontented in *Rome*. And then, for his collecting so many boats on the *Tiber* as would hold 4000 men, with the provisions necessary for their subsistence, and his stealing down the stream with his fleet, from *Sabinia* into the middle of *Rome*, without being discovered in his passage, or till he reached the Capitol, these things are absolutely wonderful.

As to what passed in *Rome*, while *Herdonius* possessed the Capitol, the *Greek* Historian reports, p. 641, that, when the *Plebeians*, at the instigation of their Tribunes, refused to arm, unless the *Terentian* Law were first enacted, the Consul *Claudius* declared, there was no need of their assistance; and exhorted the *Patricians* to march with their clients against the enemy; and, if more strength were wanted, call to their aid the *Latines* and *Hernici*, or even promise liberty to the slaves and employ them, rather than solicit succour from unworthy Citizens, who, when the State was in such calamitous circumstances, revived old quarrels: But that his advice was not approved by his Collegue or the Senators, who thought it expedient to yield to the times.

That *Valerius*, to gain the multitude, *swore* to them, that if they behaved themselves well in the present exigence, so as to restore quiet to the City, he would suffer the Tribunes to propose the Law, and would take care, that what the People determined should be put in execution before his Consulship expired.

The *Plebeians* hereupon insist themselves readily for the war, and march with alacrity under *Valerius* to the attack of the Citadel; in describing which attack the Historian is as particular and circumstantial as if he had been there, but by his detail makes that appear impracticable, which he says was effected. See p. 642.

Fiftieth
Consulship.

C H A P. XXIII.

§. I. *The Consul Claudius shews little regard to the promise given by Valerius to the Plebeians.* §. II. *L. Quinctius Cincinnatus, elected to succeed Valerius, by various arts makes the Tribunes desist from the pursuit of their Bill.* §. III. *Virginius and his Collegues are rechosen to the Tribuneship. The Senate are for continuing Quinctius in the Consulship; but he rejects the motion with indignation.*

Year of
R O M E
CCXCIII.
Bef. J. C.
Four hun-
dred fifty-
nine.

Fiftieth
Consul-
ship.
Livy, B.
3. c. 19.

§. I. **T**HE enterprize of *Herdonius* thus defeated, and peace restored, the Tribunes without delay called upon the Senators to perform what *Valerius* had promised; and they pressed *Claudius* to free the manes of his Collegue from the guilt of treachery, by suffering the People without molestation to proceed on the affair of the Law. *Claudius*, to elude this demand, insisted on the necessity of a new Consul in the place of *Valerius*, before that business could regularly be brought into debate. The time passed in disputes on this head till the month of *December*, when, the *Centuriate Comitia* being held for the election, *L. Quinctius Cincinnatus*, through the indefatigable industry of the Nobles, was appointed to the consular fasces^a. It was a thunderstroke to the *Plebeians* to see themselves fallen under the government of a Magistrate of great personal merit, great credit, and highly provoked against them by their banishment of his son *Cæso*, and who had three other sons in magnanimity nor inferior to *Cæso*, in prudence surpassing him.

Cincinnatus had no sooner entered on his office, than he began to bluster like a man angry with every body, and determined to be a severe reformer of manners. He sharply reproved the Senators for their meanness of spirit, and want of resolution, in suffering the same men to be continued in the Tribuneship from year to year, men who with noise and foul language lorded it over the State, as if it were some disorderly house which they kept. “Courage, constancy, every virtue civil and military was driven from *Rome* with my son *Cæso*. Bablers, sowers of sedition, reign here like Kings with perpetual and absolute sway. What? Did you march your Troops, (with reverence for *Caius Claudius* and the dead *Valerius* be it spoken) did you march up to the Capitol, before you had cleared the Forum of those enemies, *Virginius* and his Collegues? Did *Virginius* deserve less punishment for not being in

^a According to *Dionysius*, (p. 644.) *Quinctius* was at his farm, actually following the plough, and much astonished, when his election to the Consulship was notified to him. But it is not probable that so worthy a patriot, living so near the City, should be less forward to assist in recovering the Capitol from *Herdonius*, than the *Tusculans*. No: is

it likely, if he came to *Rome* on that occasion, that he should be ignorant of the universal combination of the Nobles to raise him to the Consulship, or that he left the City before his election.

Livy says nothing of the plough till *Cincinnatus* is chosen Dictator.

“ the Capitol, than *Herdonius* for having seized it? By *Hercules*, he de-
 “ served greater. *Herdonius* declared himself your enemy; he put you
 “ upon your guard. *Virginus*, by denying there was any war, would
 “ have disarmed you, exposed you naked and defenceless to your
 “ and exiles. What a shame in the sight of Gods and Men, that the
 “ *Tusculans* should be before us in arming for our defence; that it should
 “ be doubtful whether *Mamilius* the *Tusculan* General, or our Consuls,
 “ recovered the Capitol! And this is what you, Tribunes, call *succour-*
 “ *ing the Plebeians*, exposing them to be slaughtered by the enemy!
 “ *Jupiter*, the most High, the All-good, was not worthy to be rescued,
 “ when beset by slaves and exiles; but your persons are sacred and in-
 “ violable! And do you flatter yourselves, that, thus covered over with
 “ crimes against Gods and Men, you shall pass your Bill this year?
 “ Unfortunate was the day, when I was chosen Consul, more unfortu-
 “ nate than that in which *Valerius* was slain, if you even offer to prefer
 “ your Bill. But no more of that at present, I now give you notice,
 “ that my Colleague and I intend to march the Legions against the *Æqui*
 “ and *Volsci*. I know not by what fatality it so comes to pass, but the
 “ Gods are ever more favourable to us in war, than in peace.”

Year of
R O M E
CCXCIII.
Bef. J. C.
Four hun-
dred fifty-
nine.
Fiftieth
Consul-
ship.

The Consul quite stunned the multitude by this menacing speech.
 A winter campaign was a dreadful thought. The *Patricians* began to
 lift up their heads; their affairs seemed to be upon the recovery. *Clau-*
dius, who had spirit enough to join in a bold enterprise, but not the sort
 of courage necessary to form one, readily suffered his Colleague to take
 the lead on this occasion, yet he talked as big as if he had been the au-
 thor of the measure; he would do wonderful things, yes, he would shew
 himself to be a Consul. The Tribunes scoffed at them both. And where
 (said they) will you get the army, which you are to lead into the field? We
 shall suffer no levies to be made. “ We need none (answered *Quintius*.)
 “ The troops which *Valerius* enlisted for retaking the Capitol, all swore
 “ to rendezvous at the Consul’s command, and not to disband them-
 “ selves without his permission; and we strictly injoin every soldier,
 “ who took that oath, to appear in arms to-morrow at the Lake *Re-*
 “ *gillus*.” To which the Tribunes replied, “ That the oath did not
 “ bind the soldiers to his obedience, who was then only a private man.”
 However, this evasion did not satisfy the consciences of the People. That
 contempt for the Gods, so prevalent in our age, says *Livy*, had not in those days
 began to make its appearance. Men did not by interpretations contrive to make
 oaths and laws suit their private desires, but suited their manners to their
 oaths and to the laws.

The Tribunes, finding their cavil about the oath would not do, turned
 their thoughts to prevent, by some other means, the march of the troops
 from the City: For *Quintius* talked of the expediency of passing the

From this expression it would seem that some who had run away from their Roman
 the slaves, whom *Herdonius* commanded, were Masters.

Year of whole winter in the field. And, the more to terrify both the Commons
 R O M E and their Magistrates, he declared, and often repeated, " that [at his
 CCXCIII. " return from the war] he would hold no Comitia for electing Consuls :
 Bef. J. C. " that the State was too much distempered to be cured by ordinary re-
 Four hun- " medies : that it needed a Dictator, who would make all Disturbers
 dred fifty- " of the peace feel the weight of an authority from which there lay no
 nine. " appeal."

Fiftieth
 Consul- The Senate were at this time assembled in the Capitol. Thither ran
 ship. the Tribunes, with the *Plebeians*, all in a consternation, at their heels.
 Livy, B. The multitude with loud voices called out sometimes upon the Fathers,
 3. c. 20. sometimes upon the Consuls to compassionate their case. *Quinctius* would
 B. 3. c. listen to no intreaties, till the Tribunes had promised to abide by what the
 21. Senate should judge fit to be done. Then he reported their petition to
 the Fathers, who thereupon made a Decree, " That the Tribunes
 " should no more prefer their Bill this year, and that the Consuls should
 " not lead an army from the City : " and the Decree declared farther,
 " that, in the judgment of the Senate, to continue the superior Magi-
 " strates in their office after the expiration of their year, and to re-elect
 " the same Tribunes, were both contrary to the welfare of the Repub-
 " lick."

D. Hal. B. Thus were all commotions calmed for the present ; and *Quinctius*, du-
 10. p. 645. ring the remainder of his Consulship, kept things quiet by a patient, can-
 did, and equitable conduct in hearing and deciding causes between man
 and man, to which business he chiefly applied himself.

Livy, B. But, notwithstanding the Senate's Decree before-mentioned, and the
 3. c. 21. warm remonstrances of the Consuls, *Virginiius* and his Collegues pre-
 vailed to get themselves re-chosen by the People to the Tribuneship.
 The Senate, to be even with them, were for continuing *Quinctius* in the
 Consulship [not doubting to carry his re-election in the *Comitia by Cen-
 turies*.] Never did *Quinctius*, during his whole administration, exert
 more spirit, or express a more vehement anger than on this occasion.

" ^a *Livy* tells us, that what contributed to
 frighten the *Plebeians* into submission was a
 rumour spread, " That the augurs had been
 " directed to repair to the Lake *Regillus*, in
 " order to consecrate a place for holding
 " *Comitia*, where every article which had
 " been carried at *Rome* in favour of the
 " Commons by Tribunician violence would
 " be abrogated : since the Consuls would
 " there be masters, and the Tribunes, whose
 " right of opposition did not extend beyond
 " a mile from the City, would, if they came
 " there, be upon the foot of private men."

Dionysius says nothing of this ; nor does
 it seem probable that the People should be
 alarmed with the apprehension of a design

which certainly could never take place. For,
 had it been practicable to any purpose, it
 would long before have been put in execu-
 tion.

The only struggle in the minds of the Peo-
 ple, at this time, seems to have been between
 the military oath and the winter campaign ;
 and, to the honour of the soldiers, the oath
 carried it ; they had recourse to intreaties for
 avoiding the cold. Perhaps the character of
Quinctius, and his manner of life, had no
 small share in bringing the *Plebeians* to sub-
 mission, for the present. It is observable
 how much more tamely they could suffer
 themselves to be hectored by this plough-
 man Consul, than by an *Appius Claudius*.

“ Little cause to wonder, *Conscript Fathers*, that the *Plebeians* make light of your authority! You trifle with your own Decrees. What? Are you in competition with the multitude, to try which shall surpass the other in levity and inconstancy? Is this the contest in which victory is to give the Victors the chief power in the Republic? The headstrong multitude have broken through your Decree, and therefore you will do the same! An excellent example truly you have chosen to follow! For my part, I shall not imitate the Tribunes; I will not suffer myself to be re-elected to my office. And I exhort you, *Caius Claudius*, to restrain the *Roman People* from such licentious proceedings.” The Fathers, hereupon, issued an edict, “forbidding all persons to name *Lucius Quintus* at the next elections, for one of the Consuls; and declaring, that, if any one did, his vote should not be admitted.”

The Comitia being held, they gave the consular fasces to *Q. Fabius* * 3d time. *Vibulanus* and *L. Cornelius Maluginensis*. Year of

Upon advice that the *Æqui* and *Volsci* were making great preparations for war, the new Consuls summoned the allies to furnish their contingents of troops for the service. An army was formed, one third *Romans*, two thirds *Latines* and *Hernici*. *Fabius* had the conduct of it, and intirely routed the enemy near *Antium*. R O M E C C X C I V . B e f . J . C . Four hundred fifty-eight.

In the mean time a body of the *Æqui* surprized the Citadel of *Tusculum* in the night. This news, which was carried first to *Rome*, and thence to the camp before *Antium*, affected the *Romans* as much as if the Capitol had been again seized. Mindful of the friendly part which the *Tusculans* had lately acted in the affair of *Herdonius*, *Fabius* with all expedition marched to their relief. The enemy, to hinder succours from coming to the City, had incamped an army not far from the walls. *Fabius* with only a part of his forces kept that army in play, sending the remainder to assist the *Tusculans* to recover their Citadel. This war lasted several months. Famine compelled the *Æqui* to submit; and the *Tusculans* made them pass unarmed and naked under the yoke. After which the Consul pursued them in their return homeward, and cut them all off to a man. * *Cornelius*, who had staid at *Rome* to guard it from any sudden attack, now marched the troops under his command from the City; and the two Consuls, taking different roads, invaded, plundered, and laid waste the lands of the *Æqui* and *Volsci*. Fifty-first Consulship. Livy, B. 3. c. 22, 23.

At *Rome* the Tribunes complained that these wars were protracted merely to keep off the affair of the Law; and they loudly declared that nothing should hinder them from going through with what they had undertaken. Nevertheless *Lucretius*, præfect of the City, prevailed

* According to *Dionysius*, p. 648, *Antium* revolted this year, and was subdued by *Cornelius*. And *Livy* says, that the greater number of authors report this; but that he does not find it in any of the earliest.

Year of with them to defer the business till the arrival of the Consuls. * The
 ROME Consuls returned from the war, and entered the City with their armies
 ccxciv. in

Bef. J. C.

Four
 hundred

fifty-
 eight.

Fifty-first
 Consul-
 ship.

* *Livy* tells us, B. 3. c. 24. that, at this time, a new source of civil contention arose in the Republic: that the Quæstors cited *M. Volscius Fictor* to trial before the People, on the charge of his having given false testimony against *Cæso*: that the Tribunes put a stop to the prosecution, refusing to let the *Comitia* be held for that trial, unless they were first held for enacting their Law, and that both these affairs were put off to the return of the Consuls: that no steps were taken with regard to either before the Consuls of the new year had entered on their office: that then *Cæso's* uncle, *Titus Quinctius* (who had been thrice Consul) and *Marcus Valerius*, men of more weight than their predecessors, were the Quæstors: that, because *Cæso*, the glory of the Roman youth, could not be restored either to his family or to his country, *Quinctius*, from a spirit of justice, and from an affection for his kinsman, made war upon the false witness, who had deprived him, tho' innocent, of the liberty of pleading in his own defence. *Is quoniam neque Quinctiæ familiæ Cæso, neque reipublicæ maximus juvenis restitui posset, falsum testem, qui dicendæ causæ innoxio potestatem ademisset, justo ac pio bello persequeretur.* C. 25.

What *Livy* means to say by this I know not. For, by his own account, *Cæso* ran away to avoid a trial on *Volscius's* accusation: and, as to the crimes and misdemeanors with which the Tribunes had charged him, neither his uncle nor his own father had pretended that he was innocent. And, according to *Dionysius*, *Cæso* would not own the jurisdiction of the Court.

Notwithstanding the great weight of these Quæstors, the opposition of the Tribunes stopt the prosecution once more. But the next year, when the father of *Cæso* was Dictator, the Tribunes, intimidated by his absolute power, durst not oppose the bringing *Volscius* to trial; and he was convicted, condemned, and banished to *Lanuvium*, Liv. c. 29.

Dionysius says nothing of all this, nor indeed has it any shadow of probability, if, as the Greek Historian relates, *Volscius* was all the time one of the Tribunes; which, according to *Livy*, he was not.

Mr. *Vertot* has followed *Dionysius* in making the accuser of *Cæso* one of the Tribunes, and yet has followed *Livy* in representing

the accuser of *Cæso* as tried, convicted, and banished in that very year, when, according to *Dionysius*, p. 648, he was in his fourth Tribuneship.

Both Mr. *Vertot* and Mr. *Rollin*, founding themselves wholly on a passage in *Cicero's* Oration *pro domo sua*, relate, that in the short Dictatorship of *Quintius Cincinnatus*, (when *Volscius* is said to have been banished) *Cæso* was recalled from banishment? *Cicero's* words are these: *At vero, ut annales populi Romani, & monumenta vetustatis loquuntur, Cæso ille Quinctius, & M. Furius Camillus, & M. Servilius Ahala, cum essent optime de Republica meriti, tamen populi incitati vim, iracundiamque subierunt, damnaque Comitibus Centuriatis, cum in exilium profugissent, rursus ab eodem populo placato sunt in suam pristinam dignitatem restituti.* One would imagine from the total silence of *Livy* and *Dionysius*, as to the recalling of *Cæso*, that those *Annales* and *Monumenta*, of which *Cicero* speaks, were wholly unknown to them, or that they considered them as of no authority. Nor perhaps is the Orator much to be regarded, when, to serve a present turn and his own private interest, he brings precedents from ancient history of cases like his own. It is plain that neither the Latin nor the Greek Historian have taken him for their guide. But what seems decisive against the authority of *Cicero*, in this instance, is his saying, that *Cæso* was condemned in *Comitia by Centuries*, which is expressly contradicted by the whole History of those times. The Tribunes did not pretend to hold *Comitia by Centuries*, and yet they held the assembly for the trial of *Cæso*. If *Cicero* be right, and *Cæso*, a young *Patrician*, was condemned by the *Centuries*, it will afford a strong presumption, that all the Trials of CONSULARS in the COMITIA-RY TRIBES, which *Dionysius* has recorded, are mere fables.

Father *Carrou*, not finding that *Cæso* was recalled, or that any motion was made for recalling him, either when his uncle was Quæstor, or when his father was Dictator, concludes, that he was dead; or perhaps he gathers this from these words of *Livy*, *Quoniam neque Quintiæ familiæ Cæso, neque Reipublicæ restitui posset.* But there seems no need to have recourse to the supposition of *Cæso's* death, to account for his not being

in triumph; and, because the Tribunes now said nothing of the Law, it was generally believed, that they were deterred from that pursuit: But in truth, a far different reason occasioned their silence. As the year drew towards a close, they had their thoughts wholly intent on getting themselves elected a fourth time to the Tribuneship; and, in spite of the most vigorous opposition from the Consuls, they carried their point.

Year of
R O M E
CCXCIV.
Bef. J. C.
Four hun-
dred fifty-
eight.

Towards the end of this year the *Æqui* sued for peace, and the Senate made a treaty with them, importing, that they should keep possession of the towns and lands they then held, and be exempt from paying tribute to the Republick, but, like the other allies, furnish her with as many auxiliary troops as she occasionally should require.

Fifty-first
Consul.
ship.
Livy, B.
3. c. 24.
D. Hal. B.
10. p. 648.

ing recalled: for the same Tribunes who had prosecuted him were still in office, and the Bill, which had given occasion to *Cæso's* violences and misdemeanors, was still depending; and it is not to be imagined that the Tribunes would suffer his return to *Rome*, before that affair was determined. If I might have leave to conjecture, I should say, that *Cæso* was never recalled, that he was guilty

not only of the misdemeanors with which the Tribunes charged him, but likewise of the murder of which *Volscius* accused him, and that this *Volscius* did not get the surname of *Fictor* from his having given false evidence, but that false evidence was in after times imputed to him by the Historians, merely on account of his surname, which meant nothing worse than *The Potter*.

C H A P. · XXIV.

§. I. *L. Quinctius Cincinnatus is named to the Dictatorship; he rescues the Roman army out of extreme danger; and the 16th day after his promotion resigns his office.* §. II. *The Tribunes oppose the necessary levies for a war with the Æqui. They are at length induced to wave their opposition, but do it conditionally, that the Comions may be permitted to augment the number of their Tribunes to TEN.*

§. I. **I**N the beginning of the new administration of *L. Minucius* and *C. Nautius*, *Virginus* and his Collegues pressed forward the affair of the Law, to bring it to a conclusion. Yet they allowed the Consuls two months time to consider of it, and expose to the People the mischiefs latent under it, if any such there were; after which it was to be proposed in Comitia and put to the vote. This concession made all quiet in the City. But the tranquillity did not last long; for the *Æqui*, breaking the treaty they had made the year before, invaded and plundered the territory of the *Tusculans*, allies of the Roman Republick, and, loaded with spoil, retired with it to the hill *Algidus* (about 12 miles from *Rome*) where they incamped. The Senate dispatched three Ambassadors thither to complain of the injury, and demand restitution. *Gracchus Cluilius*, General of the *Æqui*, had pitched his tent under a large oak for the sake of the shade. *There!* said he to the Ambassadors, *deliver your errand to that tree! I have other business to mind.* They returned to *Rome* and reported the reception they had met with. Instantly

Year of
R O M E
CCXCV.
Bef. J. C.
Four hun-
dred fifty-
seven.

Fifty-se-
cond
Consul-
ship.
Livy, B.
3. c. 25.
D. Hal. B.
10. p. 648.
& seq.

Year of the Senate ordered one of the Consuls to march against *Gracchus*, and
 R O M E commissioned the other to enter the frontiers of the *Æqui* and lay the
 ccxcv. country waste. The Tribunes at first obstructed the Levies, and per-
 Bef. J. C. haps would have continued so to do, but for a second invasion. A nume-
 Four rous army of *Sabines* advanced almost to the very walls of *Rome*; and
 hundred the devastations they made could not patiently be endured by the People.
 fifty-se- Regardless of the dissuasions of their Tribunes, they now readily offered
 ven. themselves for the service. Two armies were presently raised. The *Sa-*
 Fifty- *bines* retired; *Nautius* marched into *Sabinia*, and did more than make
 second reprisals on the enemy. *Minucius*, who led his forces against the *Æqui*,
 Consul- had neither the success nor the courage of his Colleague. He pitched
 ship. his camp not far from the enemy, but kept close within it, through fear.
 Livy, B. When the *Æqui* perceived his cowardice, it gave them the boldness to
 3. c. 26. attack his camp in the night; but they found it too strong to be forced.
 The next day therefore they drew lines about it, in order to starve their
 enemies into a surrender at discretion. Before the *Romans* were quite
 inclosed, five horsemen found means to make their way through the
 quarters of the *Æqui*, and carried the news to *Rome*. *Quintus Fabius*,
 Governor of the City, immediately dispatched a messenger to the Consul
Nautius, to inform him of the distress his Colleague was in. *Nautius* leav-
 ing his army to the care of his Lieutenants repaired to *Rome* in all haste.
 He arrived there in the night, and without delay had a conference with
 the chief of the Senate, who all agreed to have recourse to the usual ex-
 pedient in great exigencies, a Dictator: whereupon the Consul, with uni-
 versal approbation, named *L. Quinctius Cincinnatus* to that important dig-
 nity, and then returned to his army.

Ibid. The persons, deputed to give *Quinctius* notice of his nomination to the
 Dictatorship, found him busily employed about his farm, either follow-
 ing the plough, or digging a ditch. After the common mutual saluta-
 tions they desired him to put on his gown, and hear their commission to
 him from the Senate. *What is the business*, said *Quinctius* in surprize,
Is all well? Then, turning to his wife who was in the field with him,
RACILIA, *Go fetch my gown. Make haste.* The dust and sweat wiped
 from his face, and the gown put on, the deputies straight saluted him Dic-
 TATOR, invited him to *Rome*, and informed him of the perillous condition
 of the army. A barge belonging to the publick was ready to convey
 him to the City. His three sons, his other relations and friends, and the
 greatest part of the Senate received him at his landing. With this atten-
 dance, and with four and twenty Lictors walking before him, he was
 conducted to his house. Crowds of *Plebeians* likewise put themselves in
 his train, but they were not very glad to see him; for they thought him
 clothed with too much power, and feared the use he might make of it.
 They kept watch all that night.

* *Dionysius* says nothing of the cowardice
 of *Minucius*, but represents him as rashly
 pursuing the enemy, who, by artfully re-

treating before him, drew him into a disad-
 vantageous situation, and then blocked him
 up in his camp.

Quintius the next morning, before day-break, went to the Forum, and there named, for his *General of the Horse*, *L. Tarquinius*, a *Patrician* of distinguished bravery, but who, being too poor to keep a horse, had till then never served but in the infantry. Thus all the hopes of the Republic lay in an old man, called from the plough to command in chief, and a foot soldier, raised to be *General of the Horse*.

Year of
R O M E
CCXCV.
Bef. J. C.
Four
hundred
fifty-se-
ven.

Fifty-se-
cond
Consul-
ship.

The Dictator, by proclamation, ordered a suspension of all process in the courts of justice, the shops to be shut up, and all the Citizens, able to bear arms, to be before sun-set in the *field of Mars*, each with five days provisions, and twelve stakes for a palisade. Whoever through age was disqualified for the service, was to dress the provisions for the soldier who lived nearest him, while he furnished himself with the stakes and got ready his arms.

All these commands punctually executed, and the forces drawn up in good order, not only for marching, but fighting, if need should require, the Dictator, at the head of the Infantry, and *Tarquinius*, at the head of the Cavalry, led forth the army. No alacrity was wanting either in the commanders, or their men. *Quicken your pace, soldiers*, said the leaders, *let us come up with them this very night. Expedition! a Roman Consul and his army besieged! three days invested! who knows what may happen in a day or a night? A single moment often decides in great events.* The Generals had the pleasure to hear the soldiers, and those who bore the colours, mutually call upon each other, *Faster, Ensigns! Soldiers, keep up!* And thus by midnight they reached the *Algidus*.

Quintius made a halt, as soon as he perceived he was near the enemy. And when, by riding about, he had taken such a view of their camp as the obscurity of the night would permit, he ordered his men to heap all the baggage together in one place, and then return into their ranks with their stakes they had brought from *Rome*. This done, he extended his forces and invested the camp on his side of it: after which, on an appointed signal given, the soldiers all together gave a shout, and then fell every man to work to cut a trench before him and plant his stakes. The shout reached beyond the camp of the *Æqui* to that of the Consul. Sudden terror seized the one, universal joy the other. Nothing among the *Roman* soldiers but mutual congratulations on the arrival of succour. *No time to be lost!* cried *Minucius*. *Not only succour is come, but our fellow Citizens are actually in conflict with the enemy. I know it by the shout. To arms, to arms, Follow me, soldiers.* Out sallied the legions to action, and by their shouts gave notice of it to the Dictator. The *Æqui* were just going to make an effort to interrupt the works the Dictator had begun, when the alarm from the other side obliged them to turn their chief strength that way, lest the Consul should break through their camp. His attack kept them in play till the morning, so that *Quintius* had the rest of the night free to go on with his fortification. Having finished it by day-break, he straight led out his forces to assault that of the enemy. A new conflict began; the former continued. The

Livy, B.
3. c. 28.

Æqui,

Year of *Æqui*, now pressed on both sides, hopeless of defending themselves, ROME hopeless of relief, ceased the fight, and had recourse to supplications. CCXCV. They begged of the Dictator, they begged of the Consul, not to place Bef. J. C. victory in slaughter, but to suffer them to go off disarmed. The Con- Fourhun- dred fif- ful referred them to the Dictator. *Quintius* contemptuously answered ty-seven. them, that *he did not want their blood, he would let them go; but that, by passing under the yoke, they should at length make confession, that the Æqui were a conquered People.* But first, said he, send me 'hither in chains your Fifty-se- cond Consul- ship. General Gracchus, and ten other of your principal officers [with these he meant to adorn his triumph] and you shall evacuate the City of *Corbio*. All was submitted to.

Liv. B. 3. The Dictator gave the ^a plunder of the enemy's camp to the soldiers c. 29. & he had brought with him from *Rome*, not suffering those of the Consul to D. Hal. B. take any part of it. "You soldiers, said he, who were just going to 10. p. 652. "fall a prey to our enemies, you shall have no share of their spoils." Then, turning to the Consul, "And you, *Minucius*, till you begin to "have the spirit of a Consul, shall command these legions in quality "only of a Lieutenant General." *Minucius* abdicated the Consulship, and, in obedience to order, continued ^b with the army. Such respect, such ready submission to superior merit; and superior authority, were paid in those days, that the consular troops, less affected with the disgrace they suffered, than with the benefit they had received, decreed to the Dictator a golden crown of a pound weight, and at his departure saluted him by the title of *their Patron*.

Quintius returned to *Rome* and had there a magnificent triumph; after which, tho' he might have retained his High Office six months, he resigned it the sixteenth ^c day from his promotion to it.

Livy, In the end of the year the Tribunes began to stir again in the affair ibid. of *the Law*: but as two armies were absent (for the Consul *Nautius* made war against the *Sabines*) the Senate carried it, that no Bill should be preferred to the people; nevertheless, in the election of Tribunes, the Commons prevailed to have the same men, who had held the Tribuneship four years successively, appointed a fifth time to that office.

D. Hal. B. §. II. THE consular fasces were transferred to *C. Horatius* and Q. 10. p. 652. *Minucius*. In the beginning of their administration, they had nothing to & seq. do abroad; but the Tribunes, with their Bill, found them sufficient Liv. B. 3. c. 30.

^a *Dionysius* reports (p. 652.) that *Quintius*, after plundering *Corbio*, caused the most valuable part of the enemies spoils to be conveyed to *Rome*, giving the remainder only to his soldiers, and that the Senate would have enriched him out of the booty; but that he declined the offer, and chose rather to bwe his subsistence to the labour of his hands.

^b According to *Livy*, *Quintus Fabius* was soon after sent from *Rome* to succeed *Minucius* in the command of the army.

^c The reader will observe that *Quintius* defeated the *Æqui*, and took their camp the third day from his nomination to the Dictatorship. The greater part of the remainder of the 16 days, we may suppose, was spent in taking possession of *Corbio*, plundering it, and placing a garrison there. This, according to *Dionysius*, p. 651, was done by way of revenging the ill treatment which the *Tusculans* had suffered from the *Æqui*.

employment at home; yet it was not long before the dispute on this head gave place to another: for news came, that the *Æqui* had in the night surprised the Roman garrison of *Corbio*, and taken the place by assault. The Senate without delay ordered an army to be raised, and led to the *Algidus*. No *Levies*! said the Tribunes; *the Bill is the important point, the business that must be first settled.* Neither Consuls nor Senate would hear of the Bill. Both sides continued obstinate, till a second alarm was given from abroad. The *Sabines* made an incursion into the Roman territory, and advanced almost to the city walls. The Tribunes then, seeing a necessity of arming, began to treat with the Senate. As they had been constantly baffled, though in office five years successively, they judged, that it was for want of a sufficient number in their college, and therefore resolved to seize the present occasion to get it augmented. "On one condition, said they, we shall consent to your raising troops. The thing will be of little consequence to you, and will please the Commons very much; perhaps make them easy as to all their other demands. Allow them to have, for the future, TEN Tribunes instead of only five."

In the debates of the Senate on this motion, *Caius Claudius* opposed it with great warmth. He said, "that to grant the Commons more Tribunes would have no good effect upon them, it would only make them more untractable and insolent. The partition of the lands, *Terentius's* Bill, and every project for diminishing the authority of the Senate, and increasing the power of the People, would presently be revived: and, in short, that an augmentation of the number of Tribunes would have the worst consequences imaginable." But *Quintilius Cincinnatus*, whose judgment had greater weight with the Senate than that of *Claudius*, considered the matter in a different light, and was of opinion, that what the *Plebeians* sued for, as a favour, would turn to their disadvantage when obtained; because it would be easier to sow division among Ten Tribunes than among five, and he therefore exhorted the Fathers to a concession. His advice prevailed. The request was granted, but conditionally, that the Tribunes then in office should not be rechosen. To this the petitioners agreed, and held the *Comitia* immediately for

^a *Dionysius*, p. 654, reports, that, when the Tribunes were obstinate in opposing the *Levies*, all the Senators, by the advice of *Quintilius Cincinnatus*, took arms and repaired to the Forum, determined to march out (supported only by their clients and adherents) against the enemy; that even the oldest of the Fathers appeared in armour, but wept and looked so pitiously, that the spectacle drew tears in abundance from the multitude: and a most ridiculous scene of affliction the Historian, p. 655, most gravely makes of it. He adds, that the Tribunes, seeing the People so melted, and fearing that they should not be

able to hinder the [weeping] *Plebeians* from following the [weeping] *Patricians* to the war, began then to covenant for an augmentation of the College, &c.

^b *Livy's* words seem to make the condition general, that the Commons should never, for the future, chuse the same men twice to the Tribuneship, *ne postea eisdem Tribunos juberent*. If this was the condition, the People did not observe it, as we shall presently see.

The increase of the number of Tribunes to ten was 36 years after the erection of Tribuneship.

Year of R O M E CCXCVI. Bef. J. C. Four hundred fifty-six.

the nomination of *Ten Tribunes*, as having learnt by experience, that they might meet with a disappointment, should they put off the election to the end of the war. Two out of each of the five first Classes were chosen; a method observed ever after.

The commotion thus quieted, troops were raised. *Minucius* marched to attack the *Sabines*, but found no enemy in the field. *Horatius* defeated the *Æqui*, and retook *Corbio*.

Fifty-third Consulship. D. Hal. B. 10. p. 657. Livy, B. 3. c. 30.

C H A P. XXV.

§. I. *The Tribunes make a new demand in favour of the People; and the Senate, after some struggle, comply.* §. II. *The Consuls, by an imprudent severity in levying soldiers, give occasion to an unprecedented insult upon their dignity from the Tribunes.* §. III. *The Agrarian and Terentian Laws are proposed anew. Sicinius Dentatus, an old soldier, makes a notable speech in relation to the former. The Patricians by violence hinder the suffrages from being collected.* §. IV. *The Consuls lead an army into the field against the Æqui. They order Sicinius Dentatus, at the head of 800 Veterans, upon a desperate enterprize. He remonstrates against it, but obeys, and succeeds so well, as to occasion the total defeat of the enemy by the Consuls. At his return to Rome he prevails with the People to refuse them a triumph; and they are condemned the next year in a fine for misconduct.*

Year of R O M E CCXCVII. Bef. J. C. Four hundred fifty-five.

§. I. **I**N the Consulship of *M. Valerius* and *Sp. Virginius*, the Tribunes demanded that mount *Aventine* should be granted to the People, or at least those parts of it which were not occupied by lawful purchasers. *L. Icilius*, the head of the college, set forth, that the land of that hill belonged to the Republick; that some *Patricians* had indeed purchased certain parcels of it, but others had got possession of what they enjoyed by mere usurpation, and that the remaining part of it was uncultivated and uninhabited. He proposed therefore, that those *Patricians*, who could shew good claims to what they possessed, should be confirmed in their possessions; but that those, who had built houses upon the hill, without lawful title to the ground, should be outed; previously reimbursed however what they had expended in building those houses; and, lastly, that all the land uncultivated, or unoccupied by rightful owners, should be given *gratis* to the Commons, who growing daily more numerous began to want habitations.

Fifty-fourth Consulship. D. Hal. B. 10. p. 658.

There could be no plausible objection to this proposal, and it was a matter of small importance to the Nobles; yet the Consuls, apprehending, perhaps, that, from such a partition of mount *Aventine*, the *Plebeians* might take occasion to renew their old pretensions upon the conquered lands, deferred convening the *Fathers*, whom the Tribunes had desired to consider of the matter, and then refer it to the People. *Icilius* impatient

patient of this delay, sent a command to the Consuls by an apparitor, Year of
to assemble the Senate forthwith. The apparitor met with a rough re- R O M E
ception. A Licitor by the Consuls orders gave him some blows, and ccxcvii.
drove him away ignominiously. A mighty uproar ensued. *Icilius* Bef. J. C.
caused the Licitor to be seized, and was for having him thrown head- Four hun-
long from the *Tarpeian* rock. The Consuls, not daring to employ vio- dred fifty-
lence to rescue him out of the hands of the sacrosanct Tribunes, endeavoured to gain over some one of them, who might put a stop to the fury of his colleague: But *Icilius* had before taken measures to defeat that artifice. He had so warmly represented to his Brethren, that the strength of their College lay wholly in their union, that they had agreed, no one among them should oppose what was determined by plurality of voices. Thus the poor Licitor saw himself just upon the point of losing his life, for having obeyed the orders of the Consuls too punctually. To save him, the *Conscript Fathers* had recourse to intreaties; and they seem to have been constrained to a composition with the Tribunes: These released the Licitor, and the Senate, by a Decree, yielded mount *Aventine* to the people; a concession of small importance, as was before observed; yet the measures, used to obtain it, made a very great breach in the consular authority: for the Tribunes kept themselves ever after in possession of the new prerogative, assumed by *Icilius* and his Collegues, of convening the Senate.

§. II. THE next year *T. Romilius* and *C. Veturius* were Consuls. Year of
These Magistrates, apprehending that the present quiet in the City would R O M E
soon be disturbed, unless the Republick had a war abroad, resolved to ccxcviii.
lead out an army against the *Æqui*.^a But this their policy they them- Bef. J. C.
selves defeated, by the unseasonable rigour with which they proceeded in Four
the inrollments. They admitted of no excuses, how allowable soever, hundred
and condemned to heavy fines and imprisonment all those who refused fifty-
to enlist themselves for the war. *Icilius* and his Collegues (who had been four.
continued in the Tribuneship at the new elections) did not fail to take Fifty-
the part of the complainants, and, when they found that words were fifth Con-
ineffectual, endeavoured by force to rescue the prisoners out of the hands sulship.
of the Licitors; they even went so far in their fury as to bid the *Ædiles* D. Hal B.
lay hold on the Consuls, and lead them to prison. The *Patricians* all 10. p. 660.
united as one man to defend the supreme Magistrates; blows ensued;
and, for this time, the Consuls got the better in the scuffle; the Tribunes
were routed, and roughly treated. But the triumph of the Nobles was
of short duration. The next day, and the following, great numbers of
Plebeians flocked from the Country to the City; and the Tribunes then,
finding themselves in a condition to deal with their adversaries, held fre-
quent councils, to which they complained most heavily of the insults they

^a According to *Livy*, B. 2. c. 31. it was to succour those affectionate friends of *Rome*, the *Tusculans* (whose territory the *Æqui* had invaded) that the Consuls began to raise an

army. And this accounts for the Tribunes not opposing the Levies, but only the unreasonable severity of the Consuls in making them.

Year of ROM E office, if they could not be supported in the exercise of it. And now, ccxcviii. encouraged by the Commons, who with great warmth entered into their Bef. J. C. Magistrates resentments, they made no scruple to send a summons to the Four hundred and fifty-four Consuls to appear before an *Assembly of the People*, and answer for their conduct; the first instance of citing the superior Magistrates to trial, during their Magistracy.

Fifty fifth Consul-ship.

The Consuls refusing to listen to the summons, away went the Tribunes to the Senate, then sitting in debate on these matters, and having first in a plaintive tone set forth "the violence which had been done to their sacred persons, by the Consuls or their adherents," demanded preremptorily, "that those Magistrates might either clear themselves by oath from having had any hand in that violence, or, if they scrupled to take such oath, appear in judgment before the people;" and they added, "that, for their parts, they would take the votes of the Tribes upon the affair."

In answer to all this, the Consuls reproached the Tribunes "with having been the aggressors, and with having carried their insolence to such excess, as first to attempt imprisoning the sovereign Magistrates of the State, and afterwards, when they failed in that, to cite them to appear in judgment before an *Assembly of the People*; though by Law they had no right to summon thither even the most inconsiderable of the *Patricians*, without a previous *Senatus Consultum* for that purpose."

D. Hal. B. And they declared, "that, if the Tribunes were so audacious as to proceed towards collecting the votes of the people, they would arm the whole body of the *Patricians*."

These mutual reproaches and menaces lasted the whole day; and the Senate, thinking it equally dangerous to declare either for the Consuls, or the Tribunes, came to no resolution.

§. III. THE Tribunes, finding that nothing was to be expected from the *Fathers*, called the People together, to deliberate on the proper measures to be taken.

The most turbulent and hot-headed were for retiring in arms a second time to the *Mons Sacer*, and thence declaring open war against the *Patricians*, for having broken the treaty which had there been made.

Others, more in number, judged it not adviseable to leave the City, nor equitable to impute to the whole body of the Nobles the violences which some particulars had acted against the sacred persons of the Tribunes; provided that strict justice were done upon the guilty, who had incurred the penalty of death or exile, [and might be punished according to Law, without any previous process.]

Others, again, more moderate, declared against putting any Citizen to death, before trial and condemnation in legal form, and especially, when the question was concerning the Consuls, the supreme Magistrates of the Republick: but they counselled the assembly to discharge their wrath on those who had aided the Consuls, and to punish them according to the utmost rigour of the Laws.

As

As nothing could be immediately agreed upon, a little time diminished the fury of the Tribunes, and at length the conclusion was, that the third market-day they would hold an assembly, to condemn the Consuls in a pecuniary fine. However, before the 27 days were quite expired, they changed their mind; and, having assembled the People, declared, that at the intreaty of several worthy men, to whom it was not easy to refuse any thing, they were willing to forgive the personal injuries they themselves had suffered, but could never pardon those which had been done to the People, and would therefore instantly renew the prosecution of those two important affairs, the *Agrarian* and *Terentian* Laws, the publication of which had been so long postponed by the artifices of the *Patricians*. This said, they fixed a day for a new Assembly to deliberate, and decide upon those matters.

The People being met at the time appointed, *Scipio* began with proposing the *Agrarian* Law; and, when he had himself made a long harangue on the reasonableness of it, notified, that any *Plebeian* present might speak his mind freely. Upon this several stood forth successively, pleaded the right their services gave them to a share of the conquered lands, and were all heard with pleasure. But nothing so much quickened the zeal of the Assembly in behalf of the Law, as the discourse of * *Sicinius Dentatus*, a *Plebeian*, who had served long, and distinguished himself by his exploits in the Wars. He was a man of noble aspect, and, though now 58 years of age, in his full strength of body as well as mind. With a soldierly eloquence he spoke to this effect: "It is now forty years that I have borne arms, and for the thirty last I have been always in some command or other. I have been in an hundred and twenty engagements. I have received forty-five wounds, and all before, twelve of them in that single action against *Herdonius*, the *Sabine*. Fourteen civick crowns I obtained for having saved the lives of so many

* Of the military rewards in use among the Romans, Mr. Kennet [Part 2. Book 4. Chap. 16.] speaks thus:

The encouragements of valour and industry were much more considerable than the proceedings against the contrary vices. The most considerable (not to speak of the promotion from one station to another, nor of the occasional *donatives* in money, distinguished by this name from the largesses bestowed on the common people, and termed *Congiarium*) were first the *dona imperatoria*, such as

The *hasta pura*, a fine spear of wood without any iron on it; such a one as *Virgil* has given *Sylvius* in the sixth of the *Æneids*:

Ille, vires? pura juvenis qui nititur hastâ.

This present was usually bestowed on him,

who in some little skirmish had killed an enemy, engaging him hand to hand. They were reckoned very honourable gifts, and the Gods are commonly represented with such spears, on the old coins. Mr. Walker derives hence the custom of our great Officers carrying white rods or staves, as ensigns of their places.

The *armillæ*, a sort of bracelets, given upon account of some eminent service, only to such as were born Romans.

The *torques*, golden and silver collars, wreathed with curious art and beauty. *Pliny* attributes the golden collars to the auxiliaries, and the silver to the Roman soldiers; but this is supposed to be a mistake.

The *phalera*, commonly thought to be a suit of rich trappings for a horse; but because we find them bestowed on the foot, as well as the cavalry, we may rather suppose them

Year of
R O M E
ccxcviii.
Bef. J. C.
Four hundred fifty-four.

Fifty-fifth
Consulship.

D. Hal. B.
10. p. 662.

* Sicinius
according to
Livy.

p. 663. &
seq.

Year of " many citizens in battle ; three mural crowns for having been the first
 ROME " that mounted the breach in towns taken by assault ; one obfidential
 ccxcviii. " crown ; eight other crowns for different exploits ; eighty-three golden
 Bef. } C. " collars, fixty golden bracelets, eighteen lances (*bastæ puræ*) twenty-
 Four hun- " dred fif-
 ty-four. them to have been golden chains, of like

nature with the *torques*, only that they seem to have hung down to the breast ; whereas the others only went round the neck. The hopes of these two last are particularly urged, among the advantages of a military life by *Juvenal*, *Sat.* xvi. 60.

Ut læti phaleris omnes, & torquibus omnes.

The *vexilla*, a sort of banners of different colours, worked in silk or other curious materials, such as *Augustus* bestowed on *Agrippa*, after he had won the sea-fight at *Actium*.

Next to these were the several coronets received on various occasions. As,

Corona civica, given to any soldier who had saved the life of a Roman citizen in an engagement. This was reckoned more honourable than any other crown, tho' composed of no better materials than oaken boughs. *Virgil* calls it *civilis quercus*, *Æn.* vi. 772.

Atque umbrata gerunt civili tempora quereu.

Plutarch has guessed very happily at the reason why the branches of this tree should be made use of before all others. For, the oaken wreath, says he, being otherwise sacred to *Jupiter*, the great guardian of their city, they might therefore think it the most proper ornament for him who had preserved a citizen. Besides, the oak may very well claim the preference in this case, because, in the primitive times, that tree alone was thought almost sufficient for the preserving of man's life : Its acorns were the principal diet of the old mortals, and the honey which was commonly found there, presented them with a very pleasant * liquor.

It was a particular honour conferred on the persons who had merited this crown, that, when they came to any of the publick shows, the whole company, as well Senate as People, should signify their respect, by rising up when they saw them enter, and that they should take their seat on these occasions among the Senators ; being also excused from all troublesome duties and ser-

vices in their own persons, and procuring the same immunity for their father and grandfather by his † side.

Corona muralis, given to him who first scaled the walls of a city in a general assault ; and therefore in the shape of it there was some allusion made to the figure of a wall.

Corona castrensis, or *wallaris*, the reward of him who had first forced the enemies in-trenchments.

Corona navalis, bestowed on such as had signalised their valour in an engagement at sea ; being set round with figures like the beaks of ships.

— *Cui belli insigne superbum
 Tempora navali fulgent rostrata Coronæ.*

Virg. Æn. viii. 684.

Lipsius fancies the *corona navalis*, and the *rostrata*, to have been two distinct species, though they are generally believed to be the same kind of crown.

Corona obsidionalis : This was not, like the rest, given by the General to the soldiers, but presented by the common consent of the soldiers to the General, when he had delivered the Romans or their allies from a siege. It was composed of the grafts growing in the besieged places.

Corona triumphalis, made with wreaths of lawrel, and proper only to such Generals as had the honour of a triumph. In after-ages this was changed for ‡ gold, and not only restrained to those that actually triumphed, but presented on several other accounts, as commonly by the foreign states and provinces to their patrons and benefactors. Several of the other crowns too are thought to have been of gold, as the *castrensis*, the *mural*, and the *naval*.

* Besides these, we meet with the *coronæ aureæ*, often bestowed on soldiers without any other additional term. And *Dion Cassius* mentions a particular sort of coronet made of olive boughs, and bestowed, like the rest, in consideration of some signal act of valour. *Lipsius* believes these to have succeeded in the room of the golden crowns, after they were laid aside.

* Vide *Plutarch*, in *Coriolano*. † Vide *Plin.* lib. 16. cap. 4. ‡ *Aurum Coronarium*.

“ five sets of furniture for horses, nine of which I won from so many
 “ enemies conquered in single combat.—And now, *Romans*, you know
 “ my services, and you have heard what have been the rewards of them,
 “ rewards that sufficiently prove my courage, but make little addition
 “ to my fortune. No land, no share in conquered countries. Nei-
 “ ther *Sicinius*, nor any of you *Plebeians*, the companions of my la-
 “ bours and my glory, are to reap the least benefit from those acqui-
 “ sitions. The *Patricians*, it seems, by their noble birth, have an inhe-
 “ rent right to all the publick demesnes. No matter whether they have
 “ any merit or not. But is this to be endured? Shall they alone enjoy
 “ the fruits of our conquests? The purchase of our blood? No, *Plebeians*,
 “ let us delay no longer to do ourselves justice. Without so much as hear-
 “ ing what the usurpers have to say against it, let us this very day pass
 “ the Law proposed by *Idilius*. If the young *Patricians* have the Boldness
 “ to oppose by violence the collecting of the votes, let our Tribunes make
 “ them feel what is the extent of their authority.”

Year of
R O M E
ccxcviii.
Bef. J. C.
Fourhun-
dred fif-
ty-four.

Fifty-
fifth
Consul-
ship.

Sicinius, having thus closed, *Idilius* highly commended both the speak-
 er and his speech, yet added, that in one thing he must differ from him;
 for that the People could neither in justice nor in prudence refuse to hear
 what the *Patricians* had to say against the Law; and so he adjourned the
 Assembly to the day following.

§. IV. THE Consuls during great part of the night held conference
 with the chief men of the Senate, on measures to frustrate the designs of
 the Tribune. No expedient offered itself, but the old method; which was
 forcibly to hinder the People from proceeding to vote.

The next morning, the Assembly being formed, the Tribunes caused
 proclamation to be made, that whosoever had any solid reasons to offer
 against the Law, might, if they pleased, lay them before the People.
 Divers Senators presented themselves one after another; but, the moment
 they began to speak, such a noise arose from all parts of the *Comitium*,
 some applauding, others hooting, as made it impossible to hear what was
 said. The Consuls, full of indignation, protested warmly against all that
 should be done in so tumultuous an Assembly; To which the Tribunes
 answered, that it was no wonder the People should be tired with hearing the
 same trite and frivolous objections so often repeated. When a great part
 of the day had been spent in such altercations, the Multitude, quite weary
 of them, called out, *To the Vote*. In that instant the *Patricians*, who, in
 small companies, had posted themselves in almost all parts of the *Comi-
 tium*, fell all at once upon the *Plebeians*, and by blows and main force
 hindered them, from gathering into their respective tribes. The Tribunes
 exclaim, break through the press, hasten to assist the *Plebeians*, and rectify
 the disorder. Vain are their efforts; their own sacred persons are suf-
 fered safely to pass whithersoever they please; but, their followers being
 stopped by the *Patricians*, they can do nothing, their measures are discon-
 certed, they are forced to retire.

They

Year of
ROM E
ccxcviii.
Bef. J. C.
Fourhun-
dred fif-
ty-four.

fifth
Consul-
ship.

D.Hal.B.
10.p.667.

They convened the people again the next day, and made their complaints. Most of the young *Patricians* had been concerned in raising the tumult; but, as it was impracticable to punish all the guilty, only the youth of the *Posthumian*, *Sempronian*, and *Clelian* families were singled out for prosecution; and cited to appear before an *Assembly of the People*.

The best heads in the Senate having consulted together on this occasion, and knowing that the Tribunes had determined to inflict no severer punishment on the criminals than the confiscation of their effects, thought it adviseable to acquiesce, not only because they could easily repair the loss to the sufferers, but because they hoped that the multitude, satisfied with this revenge, would drop the pursuit of the Law. When the day came for the trial, the persons accused, not appearing, were condemned for default; their goods were afterwards sold publicly, and the produce consecrated to *Ceres*. The Senate caused those goods to be bought up with their money by private Hands, and shortly after restored them to the former Proprietors.

p. 668.

§. V. IT was not very long before the Tribunes brought on again the affair of the Law for a *Partition of the Lands*. But their proceedings were now interrupted by sudden advice, that the *Æqui* had invaded the territory of *Tusculum*, and threatened the town. The Senate without delay ordered an army to the relief of those dear Allies, the *Tusculans*; nor could the Tribunes divert the *Plebeians* from offering themselves to serve in this war. Even *Sicinius Dentatus*, that zealous advocate for the *Agrarian Law*, presented himself a voluntier with 800 veterans, who, like himself, had compleated the years of service prescribed by Law, but yet were willing to make another campaign under the particular command of *Sicinius*, to whom they had, most of them, personal obligations.

p. 669.

The army marched from *Rome*, and advanced towards the ^a *Algidus*, the usual haunt of the *Æqui*, and whither they had retired on the news of the Consuls approach. These Generals, having found the enemy intrenched on the hill, pitched their camp not far from them, fortified it well, and kept close within it, to conceal their strength, which was very considerable. The *Æqui* took these precautions for a sign of fear, and, imagining the number of the *Romans* to be small, made several attempts to bring them to an engagement. One day when *Romilius* commanded in chief, and the *Æqui* descending from their hill offered him battle, he resolved to accept the challenge. With this view he sent for *Sicinius Dentatus*, and said to him, "My Colleague and I intend to march against the enemy in the plain, and in the mean time I would have you, with the cohort under your command, ascend by yon narrow winding way to the top of the hill, and attack their intrenchments. They have undoubtedly left, but a weak garrison there, and your brave

^a According to *Dionysius* the scene of action was near the city of *Antium*. But there is probably an error in the Copy; it should be the city of *Algidum*, which stood upon

mount *Algidus*. *Livy* says, the *Æqui* were posted on the *Algidus*; and this was in the neighbourhood of the *Tusculans*.

“veterans will easily make themselves masters of the camp. If the *Æqui* here below, to preserve it, quit the plain, we shall then fall upon their rear, and their destruction will be inevitable.” *Sicinius* answered, “I am always ready to obey orders. But give me leave to say, that the execution of what you now command is not so easy as you seem to imagine it. The hill is very high and steep, and I see but one way up to it. We shall no sooner be engaged in that narrow pass, but the enemy will infallibly pour down upon us; and how shall I be able, with my body of veterans alone, to sustain their charge from the higher ground? You are willing to suppose that the guard of the camp is weak. There is no probability of this; and, even granting it certain, their very situation alone gives them such an advantage over us, that we shall never be able to force them.”

Year of
R O M E
ccxcviii.
Bef. J. C.
Fourhun-
dred fif-
ty four.
Fifty-
fifth
Consul-
ship.

Sicinius was going on with his remonstrance, when the Consul in great anger cut him short, bidding him not pretend to act the General, but remember his only business was to obey. He added, “but, if you think there is too much danger in the enterprise, I shall employ some other Officer, who, less conceited of his own abilities, may succeed better. And you, mighty Captain, you that have followed the wars forty years, that have been in an hundred and twenty battles, and whose whole body is covered over with wounds, do you return to *Rome* without having dared to face the enemy, and carry back to the *Forum* that eloquent tongue, which is more formidable to your fellow-citizens than your sword is to the *Æqui*, and the enemies of your country.”

D. Hal. B.
10. p. 670.

Sicinius, irritated by the General’s reproaches, answered him boldly, that he found he was resolved either to destroy an old soldier, or to shame him, and for no other reason but his honest zeal for the publick liberty; but that one was much easier to do than the other; that he would march up to the enemy’s camp, and win it, or fall in the attempt with all his cohort. These veterans then took their leave of the rest of the soldiers, who looked after them, with weeping eyes, as after men sent to the slaughter. Happily for them they were under the conduct of an old Officer who understood his trade. *Sicinius* went round about a tedious way, and at length entered a great wood, that seemed to stretch along the hills quite to the enemy’s camp. Here having halted a moment, “Cheer up, my lads; either I am much mistaken, or I shall find some path that will lead us more safely to the enemy’s camp, than that which our General pointed out, and by which we could not have approached it without being seen.” He then continued his march, and soon after met with a peasant, who, serving him for a guide, conducted him at length to an eminence, that overlooked the camp, and was not far from it.

During this march the two armies came to an engagement in the plain. They fought a great while with equal courage, and victory did not declare for either side. The soldiers in the camp of the *Æqui*, not apprehending any danger from behind, were all got to the side next the plain.

p. 671.

Year of
R O M E
CCXCVIII.
Bef. J. C.
Four hun-
dred fif-
ty-four.

Fifty-
fifth
Consul-
ship.

plain to see the fight. In this juncture *Sicinius* arrived on the other side, and finding it without Centinels, and quite defenceless, entered the camp at once. Then the veterans giving a loud shout fell upon the *Æqui*, whose eyes were turned another way. The sudden fright which seized the latter made them imagine their enemies to be much more numerous than they were; so that, without staying to gather up their arms, all that could fled out of the camp, and ran precipitately down to the main body of their army, carrying fear and confusion along with them. *Sicinius* followed them close, and came thundering upon the rear of that main body, engaged in battle with the *Roman* army. The *Æqui*, broken and put to flight, lost 7000 men, the Consuls not giving over the pursuit 'till night.

As soon as it was dark, and the action quite over, *Sicinius* retired with his veterans to the camp he had before taken. He had not lost one man, nor of the whole number was there one who had received a wound. With mutual embraces they congratulated each other on their good fortune, and all joined in heaping praises on their commander. About midnight *Sicinius*, full of resentment against the Consuls, formed a resolution to hinder them, if possible, from having the honours of a triumph, at their return to *Rome*. His companions, to whom he imparted his design, having unanimously approved it, they cut the Throats of the prisoners, killed the horses, set fire to the tents, the arms, and all the baggage, (including the rich plunder which the *Æqui* had got in the territory of *Tusculum*) leaving none of those marks of victory which were required from a General when he demanded the TRIUMPH. He then marched away with extreme diligence, arrived at *Rome* with his cohort, and there gave an account to the people of what had passed, complaining of the inhumanity of the Consuls, who, he said, had maliciously exposed eight hundred veterans to death, in all likelihood, unavoidable, and claiming the whole honour of the victory to himself and his cohort. Not only the People, but the Senate entered with warmth into his resentments, and absolutely refused the Consuls a triumph at their return^a.

And

^a The reader will give what credit he pleases to this account, from *Dionysius*, of what passed in the Consulship of *Romilius* and *Veturius*. *Livy* makes no mention of the disputes about the *Agrarian Law*, or of *Sicinius*'s notable speech, or of the decree against the three *Patricians*, or of *Sicinius*'s exploit in the war against the *Æqui*. All that the *Latin Historian* says of the events of this year is to the following effect: That the ten Tribunes revived the affair of the Bill [for an establishment of Laws:] That their pursuit of it was interrupted by news from the *Tusculans*, of the *Æqui* having invaded their territory: That the *Romans* could not refuse assistance to such affectionate allies: That

the Consuls defeated the enemy in battle near the *Algidus*, slew 7000 of them, and got a great booty, which they sold, because money was wanting in the treasury: That this angered the soldiers, and furnished the Tribunes with matter for accusing the Consuls. *Liv. B. 3. c. 31.*

FATHER *Rouillé* observes, that the learned, and *Glarean* in particular, have charged *Livy* with a faulty negligence, in passing over the dispute about the *AGRARIAN Law*, *Sicinius*'s speech, and the condemnation of the three families.

As to the *Agrarian Law*, it seems not improbable that the Tribunes at this time brought it again into agitation in order to terrify

And they had no sooner resigned the Fasces (to *Sp. Tarpeius* and *A. Aternius*) but they were cited to appear before an Assembly of the People on a day fixed. *Sicinius* (whom the People had raised to the Tribuneship) charged *Romilius*; one of the Ediles charged *Veturius*. The accusations^a ran upon certain insults, which, during their Consulship, they had offered to the Tribunes; and upon the affair of *Sicinius* and his veterans; and the People fined them both, *Romilius* in ten thousand *Asses*, and *Veturius* in fifteen thousand. History does not inform us of the reason of the difference which the People made in their fines: It was perhaps because *Veturius* had the greater hand in the ill treatment of *Scillus*'s apparitor. What favours this conjecture is, that at the same time a Law passed with the consent of both orders in the State, That any Magistrate should have power to lay fines upon such persons as failed of due respect to his dignity: A prerogative reserved before to the Consuls only. But, to prevent any particular Magistrate from abusing and stretching his authority in this point, it was provided by the same Law, that the highest fines for such offences should never exceed the value of two oxen and thirty sheep.

Year of
R O M E
CCXCIX.
Bet. J. C.
Fourhun-
dred fif-
ty-three.
Fifty-
sixth
Consul-
ship.
D. Hal. B.,
10. p. 673.
Vertot.
D. Hal. B.
10. p. 674.

terrify the Nobles, and thereby facilitate the passing of *Terentius*'s Bill concerning Laws. And perhaps it was this alarm which occasioned the Senate's so readily consenting presently after to let *Terentius*'s proposal take place as to the substance of it. For this sudden compliance is not well accounted for by the Historians. There seems to have been a compromise. Cease your pursuit of the *Partition of the Lands*, and you shall have a Body of Laws established.

But, as to *Sicinius*'s Speech, the Writers who are most fond of it do themselves by their disagreement, furnish reasons to doubt. *Dionysius*, as we have seen, gives this hero 25 sets of furniture, for so many victories in single combats. *Pliny*, B. 7. *Val. Max.* B. 3. and *Solinus* c. 6. allow him only 8. But then, to make him amends, (as Father *Rouillé* observes) *Val. Max.* gives him 180 collars instead of only 88, and *Pliny* above 160 bracelets instead of only 60.

THE REASON why *Livy* says nothing of *Sicinius*'s exploit in the war, which *Veturius* and *Romilius* conducted against the *Æqui*,^{*} is evident: He did not believe one word of it. What he relates is contradictory to *Dionysius*'s account. For, according to the *Latine* Historian, the Consuls sold all the plenteous spoil of the enemy, and sent the produce to the Treasury; whereas, according to the

Greek Historian, *Sicinius* burnt and destroyed every thing, to the end that the Consuls, having no marks of victory to shew, might be refused a Triumph.

* If one considers the singular negligence of the Consuls after the victory, with regard to the enemy's camp, which contained such a rich booty; the monstrous breaches of discipline imputed to that old soldier *Sicinius*; the injustice which, in burning the spoil, he is guilty of towards the Consuls troops, who expected to share it among them, and with whom he was in terms of affection; and lastly the Senate's approving all this conduct, and taking part with him against the Consuls: I say, if one considers these things, it may incline one to believe, that *Dionysius* borrowed his account from some Memoirs as authentick as the History of *Guy Earl of Warwick*.

^a When *Livy* (B. 3. c. 31.) tells us, that the Consuls by selling the booty for the use of the Treasury [instead of giving it to the soldiers] furnished the Tribunes with matter for accusing them to the Plebeians, he probably means no more, but that the Tribunes took advantage of the anger which this proceeding raised in the minds of the soldiers, to forward a prosecution of the Consuls on another accusation, namely, their violences in the dispute about the Law.

C H A P. XXVI.

§. I. *The Senate and People agree to send Deputies to Athens to copy the Laws of Solon and of the other Lawgivers of Greece, in order to form thereby a body of Roman Law.* §. II. *In the Consulate of P. Sestius and T. Menenius, the Deputies return from Greece. The People press the nomination of ten Commissioners or Decemvirs, who are to compile the new Laws. The Consuls, to avoid proceeding in this affair, have recourse to various pretences. It is carried in the Senate by a majority, to create Decemvirs; and the Tribunes, after some struggle, consent to let them be all Patricians.* §. III. *The election is made in Comitia by Centuries. The Decemvirs compose TEN TABLES OF LAWS, which are approved by the whole Roman People.*

Year of
R O M E
CCXCIX.
Bef. J. C.
Four hun-
dred fifty-
three.

Fifty-
sixth
Consul-
ship.
D. Hal. B.
10. p. 674,
675.

§. I. **T**HE Law before mentioned, concerning fines for disrespect to Magistrates, had (according to *Dionysius*) been proposed by the present Consuls, *Tarpeius* and *Æternius*, to make their court to the People. For these Consuls were *terrified* by the ill treatment of their predecessors, whose cause the Senate had but weakly defended, after giving them encouragement to hope an effectual Protection. And by the same *terror* they were induced to side with the Tribunes in the project for an establishment of Laws, and move it in the Senate. The house was now divided in opinion, and, to the great surprise of every body, *Romilius*, whom the People had so lately fined, declared for granting to the People the Laws they so much desired. He assigned for the reason of his change the experienced want of resolution in the Senate, to support the Consuls in their opposition to the Tribunes. And, as to forming a body of Laws, he advised the *Fathers* to send Deputies into *Greece*, who should copy the celebrated Laws of *Solon* at *Athens*, and likewise inform themselves of the Laws and Customs of the other *Græcian* States; after whose return the Consuls, and Senate should appoint Commissioners to make choice of such of the *Græcian* Laws as were most suitable to the present constitution of the *Roman Republick*.

This advice of *Romilius* both prevailed in the Senate, and pleased

* *Livy*, on the contrary, represents *Tarpeius* and *Æternius* as not intimidated in the least by the misfortune of their predecessors, but boldly saying, *The Commons and their Tribunes may fine us likewise, if they please, yet they shall not prevail to get their Bill passed: That the Tribunes, then dropping their Bill, and assuming a milder manner than hitherto, desired of the Fathers, "that they would put an end to the contention, "and, if Plebeian Laws were disagreeable*

to them, would at least suffer Legislators to be created, partly out of the Nobles, partly out of the Commons, for establishing Laws of equality in point of Liberty." That the Senate expressed no dislike to the substance of the proposal, and objected only to the admission of *Plebeians* into the number of the Legislators: and that, after some struggle, the Tribunes yielded this point. *Liv. B. 3. c. 31.*

the People. *Sicinius*, his late enemy, protested, that for the future he should ever be his friend. Nay he went further, and in the name of the People remitted him the fine he had been condemned to pay. But, as the money had been consecrated to *Ceres*, *Romilius* rejected this favour, as thinking he could not accept it without sacrilege.

A Decree conformable to *Romilius's* proposal being passed by the Senate, and confirmed by the People, *Sp. Posthumius*, *A. Manlius*, and *S. Salpitius* were soon after commissioned and sent away to make the collection of *Grecian* Laws. No foreign enemies disturbed the State this year. Nor, in the following Consulship of *P. Horatius* and *Sextus Quintilius*, was there either war abroad, or contention at home: but the Plague afflicted almost all *Italy*. The Consul *Quintilius*, four Tribunes of the People, and great Numbers of Citizens of all ranks and conditions died of it. The People, to avoid it, dispersed themselves about the Country. *Rome* in this general desolation became a desert, and some surprise was to be feared from the *Aequi*, the *Volsci*, and the *Sabines*. But, the pestilence raging among them too with the same fury, their calamity served instead of strength and defence to the Republick.

§. II. THE next year, in the Consulship of *P. Sestius* and *T. Menenius*, the Plague ceased; and the Ambassadors who had been sent into *Greece*, returned to *Rome*. Presently the Tribunes became very urgent for a nomination of Legislators to enter on the great work. The Consuls, unwilling to have their Magistracy the Epoch of an innovation so disadvantageous to the Nobles, put off the business under various pretences. At first, they alledged in excuse of the delay, that, the affair in question being to be settled in the Consulship of their successors, nothing ought to be done in it, till those successors were appointed, nor indeed without their participation. To this the Tribunes made no objection; but it is probable, that their impatience hastened the meeting of the Centuries; for these were assembled before the usual time. They named *Appius Claudius* (grandson of the first of that name) and *T. Genucius* to the Consulship. After this election, *Menenius*, to get rid of the importunity of the Tribunes, pretended sickness, and staid at home. And, as for *Sestius*, he excused himself by saying, that it would not be decent for him to act in so great an affair, without his Collegue; and he referred them to the Consuls elect. To these the Tribunes applied themselves, and by much sollicitation and fine promises intirely gained them. *Appius*, in an Assembly of the People, to which he went at the desire of the Tribunes, made a speech upon the reasonableness of establishing Laws equally favourable to all; an establishment which, he said, would put an end to the contention between the two parties, and make *Rome*, which had been so long divided, as it were, into two States, become one Commonwealth. He added, that, if the election of himself and his Collegue to the Consulship should be offered by any person as an objection to the immediate appointment of Legislators, they were both ready (provided the Senate approved it) to relinquish their pretensions to that dignity.

Year of
R O M E
CCXCIX.
Bef. J. C.
Fourhundred
fifty-three.

Fifty-sixth
Consulship.
D. Hal. B.
10. p. 676.
Year of
R O M E
CCC.
Bef. J. C.
Fourhundred
fifty-two.

Fifty-seventh
Consulship.
D. Hal. B.
10. p. 667.
Year of
R O M E
CCCI.
Bef. J. C.
Fourhundred
fifty-one.

Fifty-eighth
Consulship.
Livy, B.
3. c. 32.
D. Hal. B.
10. p. 678.
679.

Year of R O M E When the People had first bestowed the highest praise on those two Patricians for this disinterested virtue, they ran in crowds to the Senate-house. *Minucius* being still sick, or pretending to be so, *Sestius* alone (whom perhaps the Tribunes had gained by a promise to make him one of the Legislators) convened the Fathers, and proposed the business. After some opposition from the warm advocates for all old customs, the opinion of the Consuls elect prevailed; and, at the motion of *Appius*, it was agreed, That ten persons to be chosen out of the body of the Senate should for one year, commencing from the day of their nomination, be invested, for the government of the State, with an authority from which there should lie no appeal; and that the *Consular*, the *Tribunician*, and all the other Magistracies should be suppressed during that space of time.

Fifty-eighth Consulship.
D. Hal B. 10. p. 679.

These Decemvirs were to draw up a Body of Laws extracted from those of *Greece*, and then communicate the Work to the Senate and People for their approbation and confirmation.

Livy, B. 3. c. 32. The Tribunes contended a while, for the admission of some *Plebeians* into the number of the Legislators, but at length yielded this point, on condition, that the Decemvirs should not abrogate the *Scilian Law* [relating to Mount *Aventine*] nor the Laws regarding the functions and privileges of the Tribunes.

Year of R O M E §. III. SHORTLY after, a solemn Assembly was held of the whole Roman People convened by Centuries, and when the auspices had been taken, and the other ceremonies of religion performed, they proceeded to the election of the Decemvirs. *Appius Claudius* and *T. Genucius* were the first named; it was thought they deserved this honourable preference for the generous abdication they made of the Consulship: then *L. Sestius*, the Consul who had brought this matter before the Senate against his Colleague's will: *Sp. Posthumius*, *S. Sulpicius*, and *A. Manlius*, the three Deputies who had been sent into *Greece*; *T. Romilius*, who had proposed that deputation; and to these were added *C. Julius*, *T. Veturius*, and *P. Horatius*, all Consulars, and men of distinction, but too old, as some say, to oppose with resolution the sentiments of their Collegues. *Appius*, by the favour he had acquired with the People had the modelling of this Magistracy.

Fifty-ninth Consulship.
D. Hal B. 10. p. 680.
Livy B. 3. c. 33.

The DECEMVIRS agreed among themselves that only one of them at a time should have the fasces, assemble the Senate, confirm Decrees, and act in all respects as supreme Magistrate. To this honour they were to succeed by turns, each enjoying it one whole day, and then resigning it to another; and, while one had the badges of sovereign power, the other nine differed not, in their appearance, from private persons, excepting

* This is the first instance of suspending the Tribuneship. The functions of the Tribunes had hitherto been always preserved, even under the Dictators, and when all other Magistracies ceased. The reason

was, that the Tribunes were not properly Magistrates, but only Protectors of the People against any oppressions by the Magistrates. *Plut. Quæst. Rom. p. 283.*

that

that each of them was attended by an officer called *Accensus*, who walked before him.

They repaired every morning, each in his turn, to their Tribunal in the *Forum*, to dispense justice, which they did with so much impartiality, that the People, charmed with their conduct, seemed to have forgot their Tribunes. Most of them prayed to the Gods for the continuance of a Government so full of moderation; nay, there were many *Plebeians* who declared, that, instead of restoring the Consulate and Tribunate, the best thing they could do would be to find ways to make the Decemvirate perpetual.

The People looked upon themselves as chiefly indebted to *Appius* for the present felicity they enjoyed. And indeed by the good understanding he lived in with his Collegues, and by his affable behaviour to the People, he acquired universally the reputation of superior merit. From being an austere *Patrician* who crossed the *Plebeians* in all their pretensions, he was changed to a very *Poplicola*: No-body so gracious and condescending as *Appius*: He could call the Citizens he met by their Names: He saluted even the meanest of the populace, giving them all assurances of his goodwill and concern for their interests.

The Decemvirs applied themselves diligently this whole year to their work, which, when compleated, they exposed in TEN TABLES, fixed up in the *Forum*; and then with great modesty represented to the People assembled, "that they did not know they had omitted any thing necessary to the establishment of that equality which ought to be among the members of a free Republick. That nevertheless they would have their fellow-citizens examine the performance carefully, and declare freely what they conceived ought to be retrenched or added; to the intent that the *Roman* People might, for the future, live under Laws which they might be said to have *proposed* as well as *enacted*." The Decemvirs for some time sat daily in the *Forum* to receive remonstrances, and whoever had any thing to object against the Laws was readily heard. And when all necessary corrections and amendments had been made, and the People in general seemed to be well satisfied, the TEN TABLES were carried before the Senate, and there approved by an express Decree: Soon after which, the Decemvirs convened an *Assembly of the Centuries*, where the LAWS, being first read over, were confirmed by the unanimous voices of the whole ROMAN PEOPLE.

^a It is said [*Plin. B. 34. Cap. 5. Strabo, B. 14.*] that the Laws of Greece were explained to the Decemvirs by one *Hermodorus of Ephesus*, who happened to be at Rome; and that *Heraclitus* the friend of *Hermodorus* wrote him a congratulatory letter on the

share he had in drawing up the *Roman* Laws, adding, that in a dream he had seen all the nations of the earth bowing down before these Laws, and worshipping them in the *Persian* manner.

Year of
R O M E
CCCII.
Bef. J. C.
Four hundred
fifty.
First Decemvirate.

D. Hal. B.
10. p. 681.
Liv. B. 3.
c. 34.

D. Hal. B.
10. p. 681.

C H A P. XXVII.

Fragments of the TEN TABLES of Laws beforementioned, as they have been collected and digested by the learned Jesuits Catrou and Rouillé, and also of the TWO TABLES of Laws soon after added to the TEN.*

T A B L E I.

O F L A W - S U I T S.

- Year of
R O M E
CCCII.
Bef. J. C.
Fourhun-
dred fifty.
First De-
cemvi-.
- I. LAW. *Go immediately with the person who cites you before the Judge.*
- II. LAW. *If the person you cite refuses to go with you before the Judge, take some that are present to be witnesses of it, and you shall have a right to compel him to appear.*
- III. LAW. *If the person cited endeavours to escape from you, or puts himself into a posture of resistance, you may seize his body.*
- IV. LAW. *If the person prosecuted be old, or infirm, let him be carried in a Jumentum, or open carriage. But, if he refuse that, the prosecutor shall not be obliged to provide him an Arcera, or a covered carriage.*
- V. LAW. *But, if the person cited find a surety, let him go.*
- VI. LAW. *Only a rich man shall be security for a rich man. But any security shall be sufficient for a poor man.*
- VII. LAW. *The Judge shall give judgment according to the agreement made between the two parties, by the way.*
- VIII. LAW. *If the person cited has made no agreement with his adversary, let the Prætor hear the cause from sun-rising till noon; and let both parties be present when it is heard, whether it be in the Forum, or Comitium.*
- IX. LAW. *Let the same Prætor give judgment in the afternoon, though but one of the parties be present.*
- X. LAW. *Let no judgments be given after the going down of the sun.*
- XI. LAW. *When the parties have pitched upon a judge or arbitrator by consent, let them give securities that they will appear. Let him who does not appear in court pay the penalty agreed upon, unless he was hindered by some great fit of sickness, or by the performance of some vow, or by business of state, or by some indispensable engagement with a foreigner. If any one of these impediments happen to the judge or arbitrator, or either of the parties, let the hearing be put off to another day.*
- XII. LAW. ** Whoever shall not be able to bring any witnesses to prove his pretensions*

* The plaintiff was often disappointed of his demand upon the defendant, and the prosecution declared null, for want of witnesses. In order to remove this inconvenience, the Decem-

pretensions before the Judge, may go and make a clamour for three days together, before his adversary's house.

Year of
R O M E
CCCII.
Bef. J. C.
Four hundred fifty.

T A B L E II.

Of ROBBERIES.

First Decemvirate.

I. LAW. *He that is attacked by a robber in the night, let him not be punished if he kills him.*

II. LAW. *If the robbery be committed by day, and, if the robber be taken in the fact, let him be beaten with rods, and become the slave of him whom he robbed. If the robber be a slave already, let him be beaten with rods, and thrown down headlong from the top of the capitol. If he be a child, under the age of puberty, let him be corrected, according to the Prætor's discretion, and let reparation be made to the injured party.*

III. LAW. *When robbers attack any person with arms, if the person attacked has cried out for help, he shall not be punished if he kill the robbers.*

IV. LAW. *When upon a legal search any stolen goods are found in a house, the robbery shall be punished upon the spot, as if openly and publicly committed.*

V. LAW. *For robberies committed privately, the robber shall be condemned to pay double the value of the things stolen.*

VI. LAW. *Whosoever shall cut down trees, which don't belong to him, he shall pay 25 Asses of brass, for every tree so felled.*

VII. LAW. *If any one comes privately, by night, and treads down another man's field of corn, or reaps his harvest, let him be hanged up, and put to death, as a victim devoted to Ceres. But if he be a child, under the age of puberty, let the Prætor order him to be corrected as he shall think fit, or let double satisfaction be made for the damage he has done.*

Decemviri made a Law, which gave the person injured leave to go to the door of his house whom he intended to prosecute; to repeat the subject of his complaint with a loud voice; and even to have recourse to invectives if there was occasion: and to continue this for three market-days together, because the country People came then to Rome, about their business. Hence came the custom, which continues to this day, of sending three summons, before judgment is given by default. If, after these repeated clamours the persons cited still refused to make restitution, the plaintiff had a right to call those in the neighbourhood who heard him, as witnesses, and go in with them, even by force, into his adversary's house, and there seize his own goods wherever he found them. The Law was thus expressed: CUI TESTIMONIUM DEFUERIT, IS TERTIIS DIEBUS, OBPORTUM, OBVA-

GULATUM ITO; that is to say, *ei qui testimonii destituitur, liceat, tertiis nundinis, reum ante ædes, convitiis & clamoribus appetere.* According to *Festus*, *portus* had anciently the same signification as *domus*, or *ædes*. The word *obvagulat* is, says *Festus*, put for *questionem cum convitio*, i. e. a demand made with great outcries and invectives. In this sense the *Civilians* interpret the verb *vagulo*, which they derive from the verb *vagio*.

Turneb. B. 2. *advcrf. cap. 26.* and *Salmasius Observ. ad jus Attic. & Ro. cap. 30.* state this Law in a different manner. Their interpretation of it is this: *If the plaintiff cannot produce his witnesses, let him go to the house of him whose testimony he had a right to expect; and let him require him to bear witness for him with great cries, and with injurious reflections, if the witness obstinately persists in the refusing it.*

Year of
R O M E
CCCII.
Bef. J. C.
Fourhun-
dred fifty.

First De-
cemvi-
rate.

VIII. LAW. *If a robber and the person robbed agree together upon terms of restitution, no farther action shall lie against the robber.*

IX. LAW. *Prescription shall never be pleaded as a right to stolen goods, nor shall a foreigner have a right to the goods of any Roman citizen, by the longest possession.*

X. LAW. *If any one betrays his trust, with respect to what is deposited in his hands, let him pay double the value of what was so deposited, to him who intrusted him with it.*

XI. LAW. *If any one finds any of his goods in another man's possession, who became possessed of them by a breach of trust, let the Prætor nominate three arbitrators to judge of it. And let the wrongful possessor pay double the value of what he has gained by detaining them.*

XII. LAW. *If a slave has committed a robbery, or done any damage, with the privity, and at the instigation of his master, let the master deliver up the slave to the person injured, by way of compensation.*

T A B L E III.

OF LOANS, AND THE RIGHT OF CREDITORS OVER THEIR DEBTORS,

I. LAW. *Let him who takes more than one per Cent. interest for money be condemned to pay four times the sum lent.*

II. LAW. *When any person acknowledges a debt, or is condemned to pay it, the creditor shall give his debtor thirty days for the payment of it: After which he shall cause him to be seized, and brought before a Judge.*

III. LAW. *If the debtor refuses to pay his debt, and can find no security, his creditor may carry him home, and either tie him by the neck, or put irons upon his feet, provided the chain does not weigh above fifteen pounds; but it may be lighter, if he pleases.*

IV. LAW. *If the captive debtor will live at his own expence, let him; if not, let him who keeps him in chains allow him a pound of meal a day, or more, if he pleases.*

V. LAW. *The creditor may keep his debtor prisoner for sixty days. If in this time the debtor does not find means to pay him, he that detains him shall bring him out before the people three market-days, and proclaim the sum, of which he has been defrauded.*

VI. LAW. *If the debtor be insolvent to several creditors, let his body be cut in pieces on the third market-day. It may be cut into more or fewer pieces with impunity: Or, if his creditors consent to it, let him be sold to foreigners beyond the Tiber.*

T A B L E IV.

OF THE RIGHT OF FATHERS OF FAMILIES.

I. LAW. *Let a father have the power of life and death over his legitimate children, and let him sell them when he pleases.*

II. LAW.

Year of
R O M E
CCCLII.
Bef. J. C.
Four
hundred.
fifty.
First De-
cemvi-
rate.

II. LAW. *But, if a father has sold his son three times, let the son then be out of his father's power.*

III. LAW. *If a father has a child born, which is monstrously deformed, let him kill him immediately.*

IV. LAW. *Let not a son, whose father has so far neglected his education as not to teach him a trade, be obliged to maintain his father in want; otherwise let all sons be obliged to relieve their fathers.*

V. LAW. *Let not a bastard be obliged to work to maintain his father.*

T A B L E V.

OF INHERITANCES AND GUARDIANSHIPS.

I. LAW. *After the death of a father of a family, let the disposition be made of his estate, and his appointment concerning the guardianship of his children be observed.*

II. LAW. *If he dies intestate, and has no children to succeed him, let his nearest relation be his heir; if he has no near relation, let a man of his own name be his heir.*

III. LAW. *When a freed-man dies intestate, and without heirs, if his patron be alive, or has left children, let the effects of the freed-man go to the family of his Patron.*

IV. LAW. *After the death of a debtor, his debts shall be paid by his heirs in proportion to the share they have in his inheritance. After this they may divide the rest of his effects, if they please, and the Prætor shall appoint three arbitrators to make the division.*

V. LAW. *If a father of a family dies intestate, and leaves an heir under age, let the child's nearest relation be his guardian.*

VI. LAW. *If any one becomes mad, or prodigal, and has no-body to take care of him, let a relation, or, if he has none, a man of his own name, have the care of his person and estate.*

T A B L E VI

OF PROPERTY AND POSSESSION.

I. LAW. *When a man conveys his estate to another, let the terms of the conveyance create the right.*

II. LAW. *If a slave, who was made free on condition of paying a certain sum, be afterwards sold, let him be set at liberty, if he pays the person who has bought him the sum agreed upon.*

III. LAW. *Let not any piece of merchandise, though sold and delivered, belong to the buyer, till he has paid for it.*

IV. LAW. *Let two years possession amount to a prescription for lands, and one for moveables.*

Year of
R O M E
CCCH.
Bef. J. C.
Fourhun-
dred fifty.

First De-
cemvi-
rate.

V. LAW. *In litigated cases the presumption shall always be on the side of the possessor : And, in disputes about liberty or slavery, the presumption shall always be on the side of liberty.*

T A B L E VII.

OF TRESPASSES AND DAMAGES.

I. LAW. *If a beast does any damage in a field, let the master of the beast make satisfaction, or give up his beast.*

II. LAW. *If you find a rafter or a pole which belongs to you, in another man's house or vineyard, and they are made use of, do not pull down the house, or ruin the vineyard ; but make the possessor pay double the value of the thing stolen ; and when the house is destroyed, or the pole taken out of the vineyard, then seize what is your own.*

III. LAW. *Whoever shall maliciously set fire to another man's house, or an heap of corn near his house, shall be imprisoned, scourged, and burnt to death. If he did it by accident, let him repair the damage : And, if he be a poor man, let him be slightly corrected.*

IV. LAW. *Whoever shall deprive another of the use of a limb shall be punished according to the law of retaliation, if the person injured does not agree to accept some other satisfaction.*

V. LAW. *If he has only dislocated a bone, let him pay three hundred pounds of brass if the sufferer be a freed-man, and a hundred and fifty if he be a slave.*

VI. LAW. *For common blows with the fist, and injurious words, the punishment shall be twenty-five Asses of brass.*

VII. LAW. *Whoever slanders another by words, or defamatory verses, and injures his reputation, shall be beaten with a club.*

VIII. LAW. *Let him who has once been a witness, and refuses to bear witness again, though a publick person, be deemed infamous, and made incapable of bearing witness any more.*

IX. LAW. *Let every false witness be thrown down headlong from the Capitol.*

X. LAW. *Whoever shall wilfully kill a freed-man, or shall make use of magical words to hurt him, or shall have prepared poison for him, or given it to him, shall be punished as an homicide.*

XI. LAW. *Let all Parricides be thrown into the river, sewed up in a leather bag, and with their heads veiled.*

XII. LAW. *The guardian who manages the affairs of his ward ill shall be reprimanded ; and, if he be found to have cheated him, he shall restore double.*

XIII. LAW. *A patron who shall have defrauded his client shall be execrable.*

T A B L E VIII.

OF ESTATES IN THE COUNTRY.

- I. LAW. *Let the space of two feet and an half of ground be always left between one house and another.* Year of R O M E CCCII. Bef. J C. Four hundred fifty.
- II. LAW. *Societies may make what by-laws they please among themselves, provided they do not interfere with the publick laws.*
- III. LAW. *When two neighbours have any disputes about their bounds, the Prætor shall assign them three arbitrators.*
- IV. LAW. *When a tree planted in a field does injury to an adjoining field by its shade, let its branches be cut off fifteen feet high.* First Decemvirate.
- V. LAW. *If the fruit of a tree falls into a neighbouring field, the owner for the tree may go and pick it up.*
- VI. LAW. *If a man would make a drain, to carry off the rain-water from his ground to his neighbour's, let the Prætor appoint three arbitrators. to judge of the damage the water may do, and prevent it.*
- VII. LAW. *Roads shall be eight feet wide, where they run straight; and, where they turn, sixteen.*
- VIII. LAW. *If a road between two fields be bad, the traveller may drive through which field he pleases.*

T A B L E IX.

OF THE COMMON RIGHTS OF THE PEOPLE.

- I. LAW. *Let not privilege be granted to any person.*
- II. LAW. *Let both debtors who are got out of slavery, and strangers who have rebelled, and returned to their duty, be restored to their ancient rights, as if they never offended.*
- III. LAW. *It shall be a capital crime for a judge or arbitrator to take money for passing judgment.*
- IV. LAW. *Let all causes, relating to the life, liberty, or rights of a Roman Citizen, be tried only in Comitia by Centuries.*
- V. LAW. *Let the People appoint Quæstors, to take cognisance of all capital cases.*
- VI. LAW. *Whoever shall hold seditious assemblies in the city by night shall be put to death.*
- VII. LAW. *Let him who shall have solicited a foreigner to declare himself against Rome, or shall have delivered up a Roman citizen to a foreigner, lose his life.*
- VIII. LAW. *Let only the last laws of the people be in force. [i. e.] let the last supersede all former ones, in the same case made and provided.*

TABLE X.

OF FUNERALS AND ALL CEREMONIES RELATING TO THE DEAD.

- Year of
R O M E
CCCCII.
Bef. J. C.
Four
hundred
fifty.
First De-
cemvi-
rate.
- I. LAW. Let no dead body be interred, or burnt, within the city.
 II. LAW. Let all costliness and excessive wailings be banished from funerals.
 III. LAW. Let not the wood, with which funeral-piles are built, be cut with a saw.
 IV. LAW. Let the dead body be covered with no more than three habits, bordered with purple; and let no more than ten players upon the flute be employed in celebrating the obsequies.
 V. LAW. Let not the women tear their faces, or disfigure themselves, or make hideous outcries.
 VI. LAW. Let not any part of a dead body be carried away, in order to perform other obsequies for the deceased, unless he died in war, or out of his own country.

VII. LAW.

* *ROGUM ASCIA NE POLITO* are the Latin words of this Law, which seems to have passed from the Athenians to the Romans. Solon, and after him Phalerius, forbade the use of joinery, and the ornaments of sculpture, in the building of sepulchres.

† It was a Law established by Solon, that no more than three robes should be buried or burnt with the corpse; it being customary among the ancients to load the funeral-pile, or fill the sepulchre with rich habits, and all the valuable things the deceased had had in his life-time; agreeable to these lines of Virgil in his sixth *Æneid*,

—*Tum membra thoro defleta reponunt
Purpureasque super vestes, vestimenta nota
Injiciunt.*

The latter clause of this Law did not hinder the Romans from joining trumpets to flutes in the funerals of great men.

‡ The *Civilians* have given us this Law, after Tully, B. 2. de *Legib.* thus, *HOMINI MORTUO OSSA NE LEGITO, QUO POST FUNUS FACIAS, EXTRA QUAM SI BELLUM ENDOVE HOSTICO, MORTUUS ESCIT.* It often happened at Rome, that the friends and relations of the deceased carried off some parts of his body, during the celebration of the obsequies, in order to perform another funeral for him in private. Which multiplied expences, and renewed useless grief. The

Decemviri therefore forbade this custom. Nevertheless the practice of interring still continued at Rome, even with regard to those bodies which were burnt. The relations and friends of the deceased reserved a small part of his body, a finger for instance, or a bone, and buried it with as much ceremony, as if it had been the whole body. By this means the Romans intended to preserve the ancient custom of burial, without which, says Cicero, the place where the body had been burnt was not consecrated by religion, nor therefore could any one legally build a sepulchre there: *Nam priusquam in os injecta gleba esset, locus ille, ubi crematum est corpus, nihil habet religionis. Injecta gleba, tum & ille humanus est, & sepulchrum vocatur, ac tum denique multa religiosa jura complentur.* The Law makes an exception for those who had died in war, or in a distant country, or who had been devoured by some wild beast, &c. It was lawful to make a funeral pomp for such, in honour of their bravery, and to erect one of those tombs for them, which the ancients called *Cænotaphia*. It was a received opinion, according to the superstition of those times, that these empty sepulchres were retreats for the wandering souls of those who had had no burial. This defect was supplied by throwing three handfuls of earth upon the tomb, and calling the deceased by his name three times. *Æneas* paid this tribute to the memory of young *Polydorus*:

Ergo

VII. LAW. Let no slaves be embalmed after their death; let there be no drinking round a dead body; nor let any perfumed liquors be poured upon it.

VIII. LAW. Let no crowns, festoons, perfuming-pots, or any kind of perfume, be carried to funerals.

IX. LAW. If the deceased has merited a crown in the publick games, by any exploit of his own, or the expertness of his slaves, or the swiftness of his horses, let his panegyrick be made at his funeral, and let his relations have leave to put a crown upon his head, as well during the seven days he remains in the house, as when he is carried to be buried.

X. LAW. Let no man have more than one funeral made for him, or than one bed put under him.

XI. LAW. Let no gold be used in any obsequies, unless the jaw of the deceased has been tied up with a gold thread. In that case the corpse may be interred or burnt with the gold thread.

XII. LAW. For the future, let no sepulchre be built, or funeral-pile raised, within sixty feet of any house, without the consent of the owner of the house.

XIII. LAW. Prescription shall never be pleaded against a man's right to his burial-place, or the entrance to it.

T A B L E XI.

OF THE WORSHIP OF THE GODS, AND OF RELIGION.

I. LAW. Let all persons come with purity and piety to the assemblies of religion, and banish all extravagance from thence. If any one does otherwise, may the Gods themselves revenge it.

II. LAW. Let no person have particular Gods of his own; or worship any new and foreign ones in private, unless they are authorized by public authority.

III. LAW. Let every one enjoy the temples consecrated by his fore-fathers, the sacred groves in his fields, and the oratories of his Lares. And let every one observe the rites used in his own family, and by his ancestors, in the worship of his domestick Gods.

IV. LAW. Honour the Gods of Heaven, not only those who have always been esteemed such, but those likewise whose merit has raised them thither, as Hercules, Bacchus, Æsculapius, Castor, Pollux, and Romulus.

V. LAW. Let those commendable qualities, by which heroes obtained Heaven, be ranked among the Gods, as Understanding, Virtue, Piety, Fidelity; and let temples be erected to them. But let no worship ever be paid to any vice.

VI. LAW. Let the most authorized ceremonies be observed.

*Ergo instauramus Polydoro funus, & ingens
Aggeritur tumulo tellus. Stant manibus aræ,
Animamque sepulchro
Condimus, & magna supremum vocæ ciemus.*
Æneid 3.

Ovid speaks of these monuments, which looked like sepulchres:

Et sæpe in tumulis, sine corpore, nomina legi.

VII. LAW.

Year of
R O M E
CCCII.
Bef. J. C.
Four
hundred
fifty.
First De-
cemvi-
rate.

The Laws
of the
11th and
12th Ta-
bles were
not drawn
up till the
next year
303, nor
passed till
305 of
Rome.

Year of
R O M E
CCCII.
Bef. J C.
Four
hundred
fifty.
First De-
cemvi-
rate.

VII. LAW. *Let law-suits be suspended on festivals, and let the slaves have leave to celebrate them after they have done their work. That it may be known on what days they fall, let them be set down in the calendars.*

VIII. LAW. *Let the Priests offer up in sacrifice to the Gods, on certain days, the fruits of the earth and berries: And on other days abundance of milk and young victims. For fear this ceremony should be omitted, the Priests shall end their year with it. Let them likewise take care to chuse for every God the victim he likes. Let there be priests appointed for some Gods, Flamines for others, and Pontifices to preside over them all.*

IX. LAW. *Let no woman be present at the sacrifices which are offered up in the night, except at those which are made for the people, with the usual ceremonies. Nor let any one be initiated in any mysteries brought from Greece, but those of Ceres.*

X. LAW. *If any one steals what belongs, or is devoted to the Gods, let him be punished as a Parricide.*

XI. LAW. *Leave perjury to be punished with death by the Gods, and let it be punished with perpetual disgrace by men.*

XII. LAW. *Let the Pontifices punish incest with death.*

XIII. LAW. *Let every one strictly perform his vows: But let no wicked person dare to make any offerings to the Gods.*

XIV. LAW. *Let no man dedicate his field to the service of the altar; and let him be discreet in his offerings of gold, silver, or ivory. Let no man dedicate a litigated estate to the Gods: If he does, he shall pay double the value of it to him whose right it shall appear to be.*

XV. LAW. *Let every man constantly observe his family-festivals.*

XVI. LAW. *Let him who has been guilty of any of those faults which make men execrable, and are not to be atoned for by expiations, be deemed impious. But let the priests expiate such as are to be expiated^d.*

T A B L E XII.

OF MARRIAGES AND THE RIGHTS OF HUSBANDS.

I. LAW. *When a woman shall have cohabited with a man for a whole year, without having been three nights absent from him, let her be deemed his wife*

II. LAW.

^d SACRUM COMMISUM QUOD NEQUE EXPIARI POTERIT, IMPIE COMMISUM ESTO: QUOD EXPIARI POTERIT, PUBLICI SACERDOTES EXPIANTO. That is to say, *A premeditated crime could not be expiated by the blood of victims, because it implied a formal contempt of the Gods. It therefore was the guilty person's business to repair the injury he had done religion by repentance and legal satisfaction.*

^e This Law is quoted by Aulus Gellius, B. 3. c. 2. and by Macrobius, Saturnal. B. 1. c. 3. The Civilians state is as follows: MULIERIS QUÆ ANNUM MATRIMONII ERGO, APUD VIRUM REMANSIT, NI TRINOCTIUM AB EO, USURPANDI ERGO, ABESCIT, USUS ESTO, i. e. *Let a man be absolute master of a woman, who has cohabited with him for the space of one year, provided that, in all this time, she has not been absent from him three*

II. LAW. If a man catches his wife in adultery, or finds her drunk, he may, with the consent of her relations, punish her even with death.

III. LAW. When a man will put away his wife, the form of doing it shall be by taking from her the keys of the house, and giving her what she brought. This shall be the manner of a divorce.

IV. LAW. A child born of a widow, in the tenth month after the decease of her husband, shall be deemed legitimate.

V. LAW. It shall not be lawful for the Patricians to intermarry with the Plebeians^f.

Year of
R O M E
CCCII.
Bef. J. C.
Four hundred fifty.

First Decemvirate.

three nights. She then became his wife, yet not in such a manner, as to be a sharer in the husband's goods, or to have a right to his inheritance. So that this was being in a condition much below that of a lawful wife: By which we mean one whose marriage was solemnised with the usual ceremonies.

¹ Cicero declares it as his positive judgment and opinion, That the Laws of the TWELVE TABLES are justly to be preferred to whole libraries of the Philosophers. Cic. de Orat. B. I.

These Laws being established, it necessarily followed, that there should be disputations and controversies in the courts, since the interpretation was to be founded on the Authority of the learned. This interpretation they called *jus civile*, though at present we understand by that phrase the whole system of the Roman Laws.

Besides out of all these Laws the learned men of that time composed a scheme of forms and cases, by which the processes in the courts were directed. These were termed *actiones legis*.

We may add to these the Laws preferred at the publick Assemblies of the People; and the *Plebiscita*, made without the authority of the Senate, at the *Comitia Tributa*, which were allowed to be of equal force

with other constitutions, though they were not honoured with the title of *leges*.

And then the *Senatus-consulta*, and edicts of the supreme Magistrates, particularly of the *Prætors*, made up two more sorts of Laws, the last of which they call *jus honorarium*.

And, lastly, when the Government was intrusted in the hands of a single person, whatever he ordained had the authority of a Law, with the name of *principalis constitutio*.

Most of these, daily increasing, gave so much scope to the Lawyers for the compiling of reports and other labours, that in the reign of *Justinian*, there were extant two thousand distinct volumes on this subject. The body of the Law being thus grown unwieldy, and rendered almost useless by its excessive bulk, that excellent Emperor entered on a design to bring it into just dimensions; which was happily accomplished in the constituting those four tomes of the *Civil Law*, which are now extant, and have contributed, in a great measure, to the regulating of all the States in *Christendom*: So that the old fancy of the *Romans*, about the eternity of their command, is not so ridiculous as at first sight it appears, since by their admirable sanctions they are still like to govern forever. Kennet's Antiq. part 2. B. 3. chap. 21.

C H A P. XXVIII.

§. I. *The Senate and People agree to have the same sort of government continued for another year. Appius gets himself rechosen to the Decemvirate, and prevails with the People to elect nine men (of whom three are Plebeians) all devoted to his will, to be his Collegues.* §. II. *The new Decemvirs privately agree to make their authority perpetual. They draw up two new tables of laws.* §. III. *Their year being expired, they continue themselves in office by their own authority. They convene the Senate in order to obtain a levy of troops to oppose the incursions of the Æqui and Sabines. A sharp debate, in which Valerius and Horatius exert themselves in opposing the measures of the Decemvirs; who nevertheless carry their point.* §. IV. *Valerius and Horatius, to secure themselves from being insulted by the Decemvirs, keep guards about their persons. Many of the Senators and other principal citizens retire into the country. Appius confiscates their estates.* §. V. *Fabius with two other of the Decemvirs leads an army against the Sabines. Five other Decemvirs lead five legions against the Æqui. Appius and Oppius stay with a body of troops in Rome. Nothing succeeds in the two camps, the soldiers being resolved not to conquer. Sicinius Dentatus, that old soldier, who had been in 120 battles, publicly gives out at Rome, that the misfortunes of the campaign are owing to the incapacity of the Generals. Appius hereupon contrives, in concert with the Decemvirs, who command against the Sabines, to get him treacherously murdered. The discovery of this murder disposes the soldiers to a revolt.*

Year of
ROME
CCCII.
Bef. J. C.
Four
hundred
fifty.

First De-
cemvi-
rate.

D. Hal. B.
10. p. 681,
682.

Livy, B.
3. c. 34.
95.

§. I. **T**HOUGH the Laws contained in the TEN TABLES had been approved in all their parts, both by the Nobles and the Plebeians; yet many persons were of opinion, that several regulations, which would fill two other Tables, ought to be added to the former, in order to make a complete body of Roman Laws. This notion prevailing, it occasioned a proposal of continuing the Decemviral government for one year more; The Senate and the People with equal readiness, though for different reasons, consented to the motion. The people were extremely desirous to keep back the restoration of the Consular authority, and at present they found but little want of the protection of their Tribunes, because the Decemvirs admitted, in some sort, of appeals, allowing causes which had been determined by one of them to be reheard by another. And, as for the Senators, they were glad at any rate to be rid of the Tribunes, those Plebeian Magistrates so odious to them, and whose functions they now conceived hopes of intirely abolishing. Before the holding of the Comitia for electing new Decemvirs, the Senate fell into divisions about that dignity. Some aspired to it out of ambition; others, who had been the warmest opposers of its establishment, courted the office now; but it was only in order to exclude those whose behaviour gave cause to suspect them of some ill designs.

Appius

Appius at first pretended to be weary of a charge so difficult and laborious, and to be very averse to burthen himself with it a second time. But his well known and avowed intimacy with the *Duili* and *Icili*, the leading men among the People; the pains he took to make himself agreeable to the *Plebeians*; his affability and moderation, so contrary to the pride of the *Claudian* family; all this gave great uneasiness to his competitors, and rendered him suspicious to his Collegues. These latter, to make sure of his exclusion,* appointed him to preside at the new election; and as it was the custom at every election for the president to give out the names of those who stood for the office in question, they imagined, that *Appius*, after the declarations he had made, could not have the assurance to put his own name in the list of candidates: Besides, excepting an instance or two of some shameless Tribunes of the People, it was a thing unheard of, that he who presided at an election of Magistrates should offer himself for one. *Ippius* nevertheless, contrary to all rules of decency, proposed himself for first Decemvir; and the People, who were now intirely devoted to him, readily gave him their suffrages. The other persons chosen to the Government were such as *Appius* had favoured and recommended. The first of the number was *Q. Fabius Vibulanus*, who had been three times Consul, a *Patrician* indeed of manners hitherto unblameable. After him were named *M. Cornelius*, *M. Sergius*, *L. Minucius*, *T. Antonius*, and *M. Rabuleius*, Senators very little esteemed in their own body, but all devoted to the service of *Appius*, who by his private brigues carried the Decemviral dignity in their favour from the *Quinctii*, and even from his own uncle *Claudius*, as likewise from his Collegues in the first Decemvirate. But what most surprised and alarmed the Senate, was, that *Appius*, forgetting his own glory and that of his ancestors, was not ashamed, out of complaisance to the late Tribunes, to whom he had sold his faith, to propose three *Plebeians* for Decemvirs, pretending it was but just,* that there should be some persons in that College to take care of the interests of the People. Thus he brought in *Q. Petilius*, *Ceso Duilius*, and *Sp. Oppius*, all three *Plebeians*, excluded by their birth from those prime Magistracies.

§. II. AND now *Appius* seeing himself, by means of his dissimulation and cabals, once more at the head of the Decemvirate, turned his thoughts wholly to make his domination perpetual. He immediately assembled his new Collegues, who were all obliged to him for their dignities, and, throwing off the mask of a Republican represented to them, that, being intrusted with a commission wherein the Consular authority and that of the Tribunes were united, nothing was more easy than to retain this sovereign power during their whole lives; that the sure means thereto was to assume to themselves the cognizance of all affairs, not suffering them to be carried before either the Senate or the People; to convene those two bodies as seldom as possible; and above all to keep firmly united among themselves: That they ought to have a mutual complaisance for each other; that the whole College ought to interest itself warmly for the particular affairs of each Decemvir; and he added, that he thought they should all bind

Year of themselves by the most solemn oaths, never to interrupt one another in the execution of their particular designs. As this proposal of *Appius* agreeably flattered the ambition of his Collegues, they readily came into it, and took the oaths that he required. A new conspiracy against the publick liberty.

These Magistrates entered into possession of their dignity on the *Ides* of *May*; and to strike immediate terror and respect into the People, they appeared in publick each with twelve *Lictors* bearing axes among their

saeces like those that used anciently to go before the Kings of *Rome*, and afterwards before the Dictator; so that the *Forum* was filled with an hundred and twenty *Lictors*. The People could not see this train and parade of tyranny without indignation. The comparison they made between the moderation of the Consuls, and the haughty behaviour of the *Decemvirs*,

soon led them to regret their old Government. They complained in private, that now ten Kings were set up over them instead of two Consuls. But these reflections came too late, and it was not in their power to undo their own work. The *Decemvirs* began to reign imperiously, and with a despotick authority. Beside their *Lictors*, they had each of them, by way of guard, a band of fellows without house or home, most of them infamous for crimes, or loaded with debts. But, what was still more deplorable, there followed in the train of these new Magistrates a crowd of young *Patricians*, who preferring licentiousness to liberty, made their court in the most abject manner to the dispensers of favours; and, to provide for their own pleasures, did not blush to be Ministers to those of the *Decemvirs*. There was no longer any safe asylum for beauty and virtue. Those unbridled youths, under shelter of the sovereign power, tore the daughter out of the bosom of her mother with impunity. Nor was property in lands or goods any more secure from the invasions of those creatures and supporters of tyranny; upon the most frivolous pretensions they took possession of their neighbours estates that lay convenient for them. In vain was application made to the *Decemvirs* for redress, the complainants were treated with contempt, their complaints rejected, and favour and self-interest sat in the place of law and justice. If any citizen, warmed with a remaining spark of the ancient liberty, was so bold as to express his resentment, he was beaten with iron rods like a slave; others were banished; some were even put to death; and confiscation always followed the execution.

p. 683.
B. 11. p.
686.

The people groaning under so cruel a tyranny, turned their eyes to the Senate, from whence they hoped for liberty. But most of the Senators, dreading the fury of the *Decemvirs*, were retired into the country. Those who staid in the city were not displeased to find that the severity of the present government made that of the Consuls regretted; and they flattered themselves the People would gladly give up their Tribunes, if they could but be delivered from the domination of the *Decemvirs*.

C. Claudius, a Consular person, and *Appius's* uncle, deeply concerned to see his nephew make himself the tyrant of his country, went several times to his house, with an intention to reprove him, and to put him in mind how

how much he shamed the memory of his ancestors by so odious a conduct: But *Appius* guessing at the design of these visits, constantly eluded them, and the veneral old man found by experience, that tyrants never own either relations or friends.

In the mean time the Decemvirs drew up two tables of Laws to be added to the ten that had been promulgated the year before. Among those additional Laws there was one prohibiting alliances between *Patricians* and *Plebeians* by inter-marriage; a prohibition which *Dionysius* conjectures to have been made with a view to perpetuate the divisions between the two orders in the Republick; the Decemvirs being apprehensive, that if the Nobility and Commonalty should ever unite, they would turn against them all that animosity which they had used to express against each other.

§. III. THE body of *Roman Law* being now completed, and the sole end for which the Decemvirate had been instituted being thereby accomplished, it was reasonably hoped, that the tyranny which the publick groaned under would shortly cease, and the Decemvirs, as soon as their year was expired, be succeeded by Consuls. But the *Ides of May* came, and not the least appearance of any *Comitia* for an election of new Magistrates. The Tyrants then shewed themselves bare-faced, and in spite both of Senate and People retained the Government, without any other title but possession and violence. All who gave them the least umbrage were proscribed; and many citizens voluntarily banished themselves from their country, taking refuge among the *Latines* and the *Hernici*.

Every body secretly deplored the loss of liberty, but not one citizen in the whole Republick was so generous as to attempt to break her chains. The *Roman People* seemed to have lost that courage which had formerly made them so much feared and respected by their neighbours. The nations that had submitted to the dominion of the *Romans*, began now to despise them, and they disdained to be subject to a city which had lost her own liberty. The *Sabines*, after several incursions in flying parties upon the territories of the Republick, gathered their forces together into one body, and advancing along the *Tiber* incamped near *Eretrum*, about twelve miles from *Rome*; and the *Æqui*, having first ravaged the lands of *Tusculum*, came and pitched their camp near the *Algidus*. These two armies, which seemed to threaten *Rome* with a siege, much alarmed the Decemvirs. It was absolutely necessary to raise troops; but in what method to proceed in the enrollments, whether in a way of gentleness or severity; and whether they should insist all indiscriminately or only those who were least disaffected to the Government; these were difficulties which at first perplexed them. Nor were they less unresolved, whether to apply to the Senate, or to the People, for a decree to levy an army in legal form, or whether they should act in this affair by their own sole authority. At length, after many councils held among themselves on this matter, they determined to convene the Senate, believing it easier to engage this body than the other to favour their pretensions; and not doubting but the

Year of
R O M E
ccciii.
Bef. J. C.
Four hundred
forty-nine
Second
Decemvirate.
Livy, B.
3. c. 37.
D. Hal. B.
10. p. 684.

Livy, B.
3. c. 38.

Year of
R O M E
ccciv.
Bef. J. C.
Four hundred
forty-eight.

Third
Decemvirate.

D. Hal. B.
11. p.
687.

Year of R O M E People, having lost with their Tribunes the privilege of *opposition*, would readily obey a decree of the Magistrates, when it had the sanction of the Senate's authority.

Four hundred forty-eight. It was a great surprize to the People to hear proclamation made in the Forum for the Senators to meet. *Thanks to our enemies*, said they, *for this single spark of our ancient liberty*. But, when the Decemvirs repaired to the

Third Senate-house, they found no-body there except their own creatures, who cante prepared to act the parts which had been assigned them.

Decemvirate. The other Senators had thrown up all care of the publick affairs; and were retired, as was said before, to their country-houses. The Decemvirs sent messengers thither to them, appointing another Assembly for next day. Most of them returned to Rome, and came to the Senate-house; but with views widely different from those of the usurpers.

• 39. & Appius, in a studied discourse, having laid open the necessity of taking arms, to repel the incursions of the *Aequi* and the *Sabines*, *L. Valerius Potitus*, without waiting till it came to his turn to give his opinion, presently stood up. He was the son of that *Valerius* who was slain at the head of the *Romans* fighting against *Herdonius*, and grandson of the famous *Valerius*, surnamed *Publicola*, one of the chief founders of the publick liberty. Appius fearing that a man of that family and of the same character with his ancestors, would propose something contrary to the interest of the Decemvirs, sternly commanded him to sit down and hold his peace, telling him, that he ought to wait till Senators older than himself, and more considerable in the Republick, had declared their opinions first. "You say very well (replied *Valerius*) had I been going to speak upon the business which you have proposed; but I have matters of much greater moment to lay before this Assembly, and what the Senate, if I mistake not, will think to be much more worthy of its immediate attention. Whence is it that you have the presumption to impose silence upon me, a Senator, a *Valerius*, standing up for the liberty of the Commonwealth? And yet if you persist in this your insolence, your accustomed insolence, to what Tribunes shall I have recourse? You have deprived us of that succour which the laws had provided for every citizen under oppression. But is it indeed come to this? And does *Valerius*, to preserve his rights, want the aid of the *Tribunitian* power? Well then, since you and your Collegues have usurped that power, together with the sovereignty, shall I appeal to you Decemvirs? Shall I implore the assistance of you *all*? To what purpose, when my design is to lay open that conspiracy which you have *all* formed against the publick liberty? Yet to you, *Quintus Fabius*, who have been honoured with three Consulates, to you alone I will appeal. Rise, *Fabius*, if you have not lost that spirit which was once your glory, rise and succour the oppressed! 'Tis on you that the Senate turns its eyes."

p. 689. *Fabius*, confounded and overwhelmed with shame, had not power to answer. But Appius and the rest of the Decemvirs, starting up in anger from their seats, cried out once more to *Valerius*, commanding him silence, and adding

adding threats to their injunctions: So extraordinary a proceeding raised a tumult in the Assembly. Many of the Senators were filled with indignation at the haughty manner of the Decemvirs; but no-body was so highly provoked at it as *M. Horatius Barbatus*. He was grandson of that *Horatius* who had been Consul with *Poplicola*. As he had inherited his grandfather's ardent zeal for liberty, and was an intimate friend of *Valerius*, he could no longer bear the insolence of *Appius* and his Collegues. He stood up and loudly called them the *Tarquins* and tyrants of their country:

Year of
R O M E
CCCIV.
Bef. J. C.
Four
hundred
forty-
eight.

Third
Decem-
virate.

D. Hal. B.

11. p. 689.

Livy, B.

3. c. 39.

" You talk to us of a war begun against us by the *Sabines*, as if the Roman People had greater enemies than yourselves. I would gladly know by what authority you convened this Assembly, and by what right you take upon you to preside in it. Is not the time of your Magistracy expired? Do you not know that the Decemviral power was given you but for one year? We chose you to establish such laws as were fit for a free State to submit to, and you have left no appearance of that equality which was the sole object the *Romans* had in view. You have suppressed the Assemblies both of the People and of the Senate. There is no longer any mention made of elections, either of Consuls, or of Tribunes: All the annual Magistracies are abolished. It is not the name of *King* that makes a tyrant. You *Decemvirs* have totally subverted our Government, to build upon its ruins your own empire and domination. But know, that the blood of *Valerius* and *Horatius*, who formerly drove the *Tarquins* out of *Rome*, yet runs in the veins of their descendants. We have the same courage and the same zeal for the liberty of our country. The Gods, Protectors of this city, will grant us the same success; and I hope the People, no less jealous of their freedom than their ancestors, will never desert us in so just a cause."

Horatius was going on with his discourse, when the Decemvirs with loud clamours all came and surrounded him, threatening to have him thrown from the *Tarpeian* rock if he did not instantly hold his peace. But when they perceived that the Senate in general expressed an uncommon resentment at this tyrannical invasion of the liberty of speech, they presently repented of their rashness. *Appius*, to soothe the minds of the Senators, having first requested and obtained a moment's silence, assured them, that the Decemvirs were far from having the least thought of hindering any one of the *Conscript Fathers* from freely delivering his opinion: That if he had imposed silence upon *Valerius*, it was only to oblige him to conform to the ordinary method, which was, that every man should speak in his turn, unless he was particularly applied to by him who presided in the Senate: That, whatever *Horatius* might imagine to the contrary, the right of the Decemvirs to exercise this authority did still subsist: That their Commission had not been limited by the People to one year, or to any fixed period of time, but was to last till the Tables of Laws were completed and passed in due form; after which they would lay down their Magistracy, and give an account of their administration. Then turning to his uncle *C. Claudius*, he desired him to speak his mind with freedom. He perhaps flattered himself, that *Claudius*, out of affection for a near relation,

D. Hal. B.

11. p. 690.

Year of ROME CCCIV. Bcf. J. C. Four hundred forty-eight.

lation, or moved by a zeal for the glory and interest of his family, or pleased with the honour of being the first whose opinion was asked, would take upon him to answer the severest parts of *Horatius's* invective. But the Decemvir addressed himself to a true *Roman*, one who would have sacrificed his own children to the preservation of the publick liberty.

Third Decemvirate. D. Hal. B. 11. p. 691. & seq.

Claudius observed to the Assembly, that two affairs of different natures were then to be considered of; a war abroad, and a remedy for the dissensions at home with relation to the Government: That as to the war, the late incursions of the enemies were wholly owing to the encouragement which the intestine division in the Republick gave them: That therefore the first thing to be done, was, to settle peace and union in the city, after which the very appearance of the standards of the legions would be enough to frighten away the *Æqui* and *Sabines*, over whom the *Romans* had already so often triumphed: But that he doubted whether the People would range themselves under the banners of the Decemvirs, whom they justly looked upon as private men, who had usurped the Sovereign power. Then directing his speech to his nephew: "Know you not, *Appius*, how odious your conduct is to all good men? The voluntary exile to which our most illustrious Senators have condemned themselves, does it not sufficiently shew that they look upon you as a tyrant? The Senate very impatiently bears your robbing them of their authority; the People demand their right of *Appeal*, and that of *Opposition* which you have deprived them of; all our citizens call upon you, some for their estates, which have been made a prey to your ruffian, others for their daughters, whom you have forced away to satisfy your criminal passions. The whole city, the whole nation detest a Magistracy, which has destroyed their liberty, abolished the use of *Comitia*, usurped the legal authority of the Consuls, and suppressed the functions of the Tribunes. Restore to the Commonwealth the power with which she intrusted you but for one year; restore to us our ancient form of Government; restore yourself to yourself. Call to mind your former virtue, and generously quit, together with an unwarrantable power, the very name of Decemvir, which you have made so odious. I conjure you to this by our common ancestors, by the *Manes* of your father, that illustrious citizen, who left you so noble an example of moderation, and of zeal for the publick liberty; I conjure you especially, by your own preservation, and the care of your life, which you must unavoidably lose by some ignominious punishment, if you obstinately persist to hold any longer the unjust Empire which you have usurped over your fellow-citizens."

p. 696. Thus spake *Claudius*, and the Senate at first conceived hopes that the Decemvirs would be induced to lay down their Magistracy. But *Appius* disdained to give his uncle any answer. *M. Cornelius*, one of his Collegues, taking upon him to speak, and applying himself directly to *C. Claudius*, told him proudly, that those who had the Government of the Republick, did not stand in need of his advice to direct their conduct. That if he thought he had a right to give particular counsels to his nephew, he might go to him at his house; that the only affair in question now was the war with the

p. 697.

the *Æqui* and *Sabines*: "Tell us, therefore, *said he*, your opinion on this point, for on this only it was asked, and don't waste our time in digressions that are nothing to the purpose."

Year of
R O M E
ccciv.
Bef. J. C.
Four hun-
dred
forty-
eight.
Third
Decem-
virate.

Claudius, yet more provoked at the scornful silence of *Appius*, than at his Colleague's insolent answer, rose up again, and turning to the Senate: "Since my nephew will not condescend to speak to me, either in his own house, or in full Senate, and I am so unhappy as to see the tyrant of my country arise out of my own family, I declare, *Conscript Fathers*, that I am resolved to retire to *Regillus*. I banish myself from *Rome*, and make an oath never to enter it again but with our liberty. However, to fulfil the obligation I lie under of giving my opinion, with relation to the present business, I don't think that any levy of troops ought to be made, till Consuls are first chosen to lead them."

L. Quintilius Cincinnatus, *T. Quintilius Capitolinus*, and *L. Lucretius*, all Consular persons, and the principal men in the Senate, declared themselves of the same opinion. *M. Cornelius*, apprehending that the authority of those great men would draw the rest of the Senate after them, interrupted the order of gathering the suffrages, and asked the opinion of his brother *L. Cornelius*, with whom he had before concerted the speech he should make in case of such an exigence. This Senator then rose up, but made no attempt to justify either the authority or conduct of the Decemvirs. Taking a more artful turn, he only represented to the Assembly, how expedient he thought it would be to defer the election of new Magistrates, till the enemy was driven out of the territory of *Rome*. "Have those, *said he*, who are so warm for the abdication of the Decemvirs, had any promise from the *Æqui* and *Sabines*, that they will put a stop to the progress of their arms, till we have changed the form of our Government? You know, *Conscript Fathers*, the tedious delays which our elections require: First, there must be a *Senatus-consultum* to appoint the *Comitia* by *Centuries*. This Assembly cannot be held till seven and twenty days after notice given. When the new Magistrates are named, and have taken possession of the Government, they must prefer a petition for the levies to another Assembly of the People; and before all these things can be done, and the necessary troops can be raised to repel the enemy, who will warrant us that we shall not see them at the gates of *Rome*, and in a condition to lay siege to the city? And what shall we do in this case? Doubtless we shall say to the *Æqui* and *Sabines*, *A little patience if you please. Suspend your attack till we have chosen other Magistrates*. *Caius Claudius has persuaded us not to pass any Decree for raising forces, unless new Generals be first elected to command them. Be gone therefore out of our territory, and when you hear that the Roman People have created Consuls, and that we have made all necessary preparations for war, you may then return and sue to us for peace*. Strange infatuation! that such follies should ever enter into the minds of men."

* He had been Colleague to *Q. Fabius* in the third Consulate of the latter.

Year of “ Nor surely less strange is our stupidity, that we can hear these triflers
 R O M E “ without indignation, as if we were consulting for the safety of our ene-
 CCCIV. “ mies, not the preservation of our country. My opinion, *Conscripi Fa-*
 Bef. J. C. “ *thers*, is, that our Decemvirs immediately inlist the legions, and march
 Fourhun- “ against our enemies. Let us drive them from our frontiers, let us
 dred for- “ force them, by the terror of our arms, to beseech us to grant them
 ty-eight. “ peace; and when we have secured ourselves abroad, then let us em-
 Third “ ploy our thoughts upon our affairs at home: Revoke by your autho-
 Decem- “ rity that of the Decemvirs, if they will not of their own accord divest
 virate. “ themselves of it: Call them to an account for their administration;
 “ elect new Magistrates in their room; and let the Republick return again
 “ to her ancient constitution: But permit me to tell you, that in matter
 “ of Government, we must regulate our proceedings by the times, and
 “ never hope to make the times subservient to our desires and projects.”

D. Hal. B. The creatures of the Decemvirs declared loudly for this opinion, and
 11. p. 700. the greater part of the Senators came into it, some as thinking it necessary
 in the present conjuncture, and others out of fear of the Tyrants. Nay,
 some of the oldest Senators took the same side, in hopes that after the war
 Liv. B. 3. was finished, the abdication of the Decemvirs would quietly follow of
 c. 41. course, and so the Government return naturally into the hands of the
 Consuls; and that prudent Magistrates by their moderation might per-
 haps gradually accustom the People to do without their Tribunes.

Appius, who with a secret pleasure saw that the majority were of the opi-
 nion of *Cornelius*, did then only for form-sake desire that of *Valerius*, on
 whom he had imposed silence at the beginning of the Assembly. *Val-*
 D. Hal. B. *rius* rising up, spoke to this effect: “ You see, *Conscripi Fathers*, the
 11. p. 700, “ crafty and deceitful management of these Decemvirs. My mouth was
 701. “ stopt so long as they apprehended that what I had to offer might make
 “ some impression upon the Assembly to the disadvantage of their pre-
 “ tensions; but now when the majority has declared for the opinion of
 “ *Cornelius*, why now truly they condescend to ask me mine, imagining,
 “ doubtless, that nothing which I can say, be it ever so reasonable, will
 “ be of any effect. I shall nevertheless deliver my thoughts with free-
 “ dom, and you are still masters to determine as you shall judge to be
 “ most for the good of the Republick.

“ I declare then, in the first place, that I heartily subscribe to what
 “ *C. Claudius* has so wisely represented to you concerning the expediency of
 “ creating new Magistrates before we take the field. But since *L. Cor-*
 “ *nelius*, the avowed advocate of Tyranny, has endeavoured to turn so ju-
 “ dicious a counsel into ridicule, upon pretence that the delays requisite
 “ for the election of those Magistrates would waste the time that should be
 “ employed in repelling the enemy, I think myself obliged to shew you
 “ the weakness and fallacy of this wretched reasoning. To convince you
 “ that such it is, do but call to mind the measures which the Republick
 “ took about ten years ago, against the same enemies, in the Consulate
 “ of *C. Nautius* and *L. Minucius*.

“ You

“ You know, that, while *Nautius* was on one side fighting against the Year of
 “ *Sabinus*, *Minucius* on the other, suffered himself to be shut up by the ROM E
 “ *Æqui* in the narrow passes of some mountains. There was a necessity of CCCIV.
 “ raising a new army to relieve him; the Tribunes (according to custom) Bef. J. C.
 “ opposed all levies of troops, unless the Senate would admit the Law Four hun-
 “ concerning the partition of the lands. In this extremity, as neither par- dred for-
 “ ty would abate any thing of its pretensions, recourse was had to a Dicta- ty-eight.
 “ tor, a Magistrate superior both to the Senate and the Tribunes of the Third
 “ People, *L. Quinctius* was chosen; he was sent for out of the country; rate.
 “ he came to *Rome*; he raised a new army, and in a fortnight’s time
 “ brought off that of *Minucius*, and triumphed over the enemy. What
 “ hinders, in the present exigence, to follow so wise and so recent an exam-
 “ ple? Let us chuse an *Imperator*, as was the practice upon the demise of
 “ the Kings, and has ever been the practice when the State happened to be
 “ left, as it is now, without legal Magistrates. Let him name a Dictator.
 “ These things may be done in less than a day. The Dictator will raise
 “ troops by the supreme power belonging to his dignity; we shall march
 “ against our enemies without delay; and, at our return from the campaign,
 “ that Magistrate, whose power cannot last longer than six months, will
 “ give us an opportunity to proceed at leisure, and according to the
 “ usual forms, upon the election of Consuls. If on the other hand you in-
 “ trust the command of your armies with the Decemvirs, do you imagine
 “ that these ambitious men who have usurped a tyrannical power, and in
 “ spite of all our laws refuse so obstinately to deliver up the Scales, will
 “ easily be brought to lay down their arms? Believe rather they will turn
 “ them against you yourselves, and make use of them to perpetuate their
 “ tyranny. I demand therefore, that, in the extreme danger wherein the
 “ publick liberty now is, the proposal I make to name a Dictator be ex-
 “ amined, and the opinions and votes of the Senate taken thereupon.”

Almost all the Senators who were to speak after *Valerius* declared for D. H. J. B.
 this motion, as did also many of those who had before voted for the con- 11. p. 702.
 tinuation of the Decemvirate. But *Cornelius* cried out, that the affair upon
 which the Senate had met was already decided, and that nothing new
 ought now to be proposed. A warm dispute thereupon arose, with much
 clamour and tumult. *Appius*, taking advantage of the disorder to accom-
 plish his desires, stepped forth into the midst of the Assembly, and spoke
 thus: “ You were called together, *Conscript Fathers*, to deliberate con-
 “ cerning a war with the *Æqui* and *Sabines*. *Claudius*, *Cornelius*, and
 “ *Valerius*, have given different opinions. The voices of the Assembly
 “ have been all taken, and the opinion of *Cornelius* has prevailed.” He
 added with a contemptuous smile, “ As for *Valerius* and his friends, if ever
 “ they attain to the Consulship, let them, if they please, revise and make
 “ void Decrees, which you in your wisdom have thought fit to pass.”
 This said, he ordered the Secretary to read aloud the *Senatus-consultum*
 (which he had already made him draw up in writing) empowering the
 Decemvirs to raise Troops, and to conduct the war. He then dismissed the
 Assembly, and withdrew.

Year of
R O M E
CCCIV.
Bef. J. C.
Four hun-
dred for-
ty-eight.

Third
Decemvi-
rate.
D. Hal. B.
11. p. 703.

p. 704.

Livy, B.
3. c. 41,
42.

§. IV. THE new powers which by this Decree were granted to the Decemvirs, not only in some manner confirmed their authority, but made it more formidable than ever. They employed it to revenge themselves of their personal enemies, and they reckoned as such all those who did not submit to be their slaves. The most timorous among the citizens became as submissive and complying as the tyrants could wish: Others, less fearful, only quitted all attention to publick affairs, and turned their thoughts to live in quiet: But the men of courage and spirit held private Assemblies to concert measures for restoring liberty to the commonwealth. At the head of these were *Valerius* and *Horatius*. They gathered together in their houses a great number of their friends and clients to secure them against the violence of the *Decemvirs*; and they never appeared in the city without a powerful attendance strong enough to repel the insults they had reason to expect. As for *C. Claudius*, he left *Rome*, as he had declared in full Senate he would do, and retired to *Regillus*, the native city of his ancestors. Other Senators and many of the principal Citizens of *Rome*, who could not endure the Tyranny of the *Decemvirs*, and yet found themselves unable to destroy it, sought an asylum in the country, or among the neighbouring nations. *Appius*, enraged to see so convincing a proof given of the aversion which the best men in the Republick had to his Government, placed guards at the city gates: But finding that this precaution only increased the number of the malecontents, and fearing a general revolt, he removed the guard, leaving every body free to retire that would: But, to be revenged of those who withdrew, he confiscated the Effects they had in *Rome*, with which he paid and rewarded his ruffians.

§. V. AND now the Decemvirs began to raise troops for the war. Ten legions, soon completed, were divided into three Bodies. The Decemvirs agreed among themselves, that *Appius* and *Oppius*, invested with an Authority equal to that of All the Decemvirs united, should remain at *Rome*, and keep a garrison, consisting of two legions, in the capitol. *Q. Fabius Vibulanus*, with whom two other of the Decemvirs, *Q. Petilius* and *M. Rabuleius*, were joined in commission, marched against the *Sabines* at the head of three legions. *M. Cornelius*, *L. Minucius*, *M. Sergius*, *T. Antonius*, and *C. Duilius*, all Decemvirs, led five legions against the *Æqui*. The auxiliary Troops of the *Latines* and other Allies were, according to *Dionysius*, equal in number to the *Romans*. Nevertheless with this mighty force the Generals could effect nothing. The *Romans*, soldiers having a quick sense of their loss of liberty, would not conquer, for fear of increasing the power of the Decemvirs. Both armies suffered themselves to be defeated almost without fighting. The legions appointed against the *Sabines*, after some slight losses near *Eretum*, made a hasty retreat in the night, and pitched their camp in the territory of *Rome* between *Fidenæ* and *Crustumeria*. And as for those who were to act against the *Æqui* (posted upon the *Algidus*) they lost their camp and baggage, and fled for refuge to *Tusculum*. The news of these defeats was received

received at *Rome* with the same joy that would at another time have been shewn for a complete victory.

Appius, attentive to all events, sent recruits and provisions to his Colleges. He exhorted them, by letters, to keep the soldiers in awe by the terror of punishment, unless they judged this method to be dangerous in the present conjuncture. In that case, *he added*, that they would not want opportunities during the campaign to destroy the most mutinous by private ways; and he himself set them an example.

Year of
R O M E
CCCIV.
Ref. J. C.
Four
hundred
forty-
eight.

Third
Decemvi-
rate.
D. Hal. B.
11. p. 706.

Sicinius Dentatus, that renowned *Phœbeian*, who had been in 120 engagements, filled the ears of the multitude with the faults which he affirmed the Decemvirs had committed in the management of this war. *Appius*, to get him out of *Rome*, pretended an earnest desire to consult him upon the operations of the campaign. He sent for him, discoursed with him several times, admired his wisdom, and engaged him to go to the army at *Crustumæria*, and assist the Generals with his Counsels. And, the sooner to induce him to make the campaign, he dignified him with the Character of Envoy or Legate, which among the *Romans* (according to *Dionysius*) not only gave him who was honoured with it the authority of a General, but made his Person sacred and inviolable, as that of a Priest.

Sicinius, free from distrust, and with the sincerity of a brave soldier, gladly embraced an opportunity of serving his country. He repaired to the camp with all speed. The Decemvirs, instructed by *Appius*, received him with outward marks of joy, and treated him with distinction. Nothing was undertaken without his advice; but this seeming deference concealed a real design of making away with him. An occasion soon offered. *Sicinius*, with his accustomed frankness, having told the Decemvirs, that he thought they should remove the camp into the enemy's territory, for many good reasons which he laid before them, they commissioned him to go and view the situation of the country, and mark out the ground for a new incampment; and they appointed him a hundred chosen men light-armed to be his guard; but this guard consisted only of the Decemvirs ruffians, who had secret orders to dispatch him. *Sicinius* having led them into the narrow passages of some mountains, they took that opportunity to fall upon him. He no sooner perceived their base design, but setting his back against a rock, that he might not be attacked behind, he received them with a courage that struck terror into the boldest of them. Calling up all his ancient valour, he slew several of the assailants, and wounded others: And now not one of them durst venture near him: They stood at a distance, and threw their darts at him. But, as even this did not effect their purpose, the villains climbed up to the top of the rock, and thence knocked him on the head with stones. They then went back to the camp, and gave out that they had fallen into an ambush, in which they had lost their captain, and part of their comrades. At first they were believed; but when a band of soldiers, who, with the Decemvirs permission, went to fetch the body of *Sicinius* in order to its burial, came to the place of action, they

p. 707.

Livy, B.
3. c. 43.

D. Hal. B.
11. p. 708.

Year of ROM E
CCCIV.
Bef. J. C.
Four hundred
eighty-eight.
Third
Decemvirate.
D. Hal. B.
1. p. 709.

they perceived that the slain were all *Romans*; that they were all fallen with their faces towards him, and that none of them were stripped either of their arms or cloaths. All these circumstances, laid together, made them suspect that the brave veteran had been murdered by his guard. This suspicion, prevailing throughout the camp, raised loud complaints, and a general discontent. The whole army with great fury demanded that the assassins should be brought to justice. But the Decemvirs helped them to make their escape; and, because the soldiers seemed resolved to have the body of *Sicinius* immediately conveyed to *Rome*, they with all expedition gave it an honourable funeral at the publick expence. These proceedings of the Generals made it but too evident, that *Sicinius* had not been murdered without their privity; and the discontent, which so odious a treachery excited in this army, rose to such a height, that the greater part of the soldiers began to think in earnest of revolting from the Decemviral Government. A new attempt of *Appius*, which was still more hateful, and which filled up the measure of his extravagant enormities, produced, in the city and in the other army, a yet greater detestation of the present tyranny.

C H A P. XXIX.

- §. I. *Appius (at Rome) falls in love with Virginia, a beautiful young woman, the daughter of a Plebeian.* §. II. *The wicked stratagems, which he employs to force her from her parents, that he may gratify his passion, occasion the abolition of the Decemvirate, and restoration of the Consulship.* §. III. *Valerius and Horatius are chosen Consuls.* §. IV. *Revenge is taken on the late Decemvirs.*

§. I. **I**T has been already said, that *Appius*, by agreement with his Collegues, staid at *Rome* with a body of Troops to keep the inhabitants in obedience to the Decemvirs. As he was one day going to his Tribunal, he accidentally cast his eyes on a young virgin of uncommon beauty, who was reading her book in one of the publick schools. (In these times it was customary at *Rome* for young persons of that sex, as well as of the other, to pursue their proper studies in schools that were purposely erected for them in the *Forum*.) Her charms, and the blooming graces of youth, immediately drew his attention. He could not help beholding her with a secret pleasure: His curiosity increased the next day; he thought her more lovely than before; and, as he was obliged to pass often by the school, he insensibly conceived a most violent passion for her. Upon inquiry after her family and condition, he learnt, that she was by birth a *Plebeian*; her name *Virginia*; that she had lost her mother, *Numitoria*; that her father, *Virginus*, then served in the post of Centurion in the army employed against the *Æqui*, and that he had promised his daughter to *Titius*, who had been Tribune of the People, and who was to marry her at the end of the campaign.

This

This account, so unfavourable to *Appius's* passion, served only to increase it. He would gladly have married *Virginia*, but he had a wife already; and, had this not been the case, the last laws of the twelve tables, of which he was the chief framer, prohibited all intermarriages of *Patricians* with *Plebeians*; so that he had no room to hope for the accomplishment of his wishes, but by the scandalous means of debauching the young maid.

Year of
R O M E
CCCIV.
Bef. J. C.
Four
hundred
forty-
eight.

Third
Decemvir-
ate.

D. Hal. B.
11. p. 710.
Livy, B.
3. c. 44.

The innocence and modesty of *Virginia* restrained him from opening his dishonest purpose directly to herself. He thought it more proper to begin the work by means of one of those women of intrigue, who make a private market of the beauty and charms of youth. He loaded her with favours, and, having let her into his desires, ordered her not to name him, but to say only, that *Virginia's* lover was a man in power, who could do much good or much hurt to others, according to his pleasure. This woman applied herself to *Virginia's* nurse, made her rich presents, and richer promises; and, having thus paved the way, came at length to the subject of her errand. But the nurse, equally faithful and prudent, not only rejected the proposal with horror, but kept now a more watchful eye upon her charge than ever. *Appius* learned with grief, that it was impossible either to deceive or to corrupt her.

However, his passion growing still more furious by the difficulties it met with, he had recourse to another stratagem more bold and impudent, and which, if it succeeded, would put *Virginia* wholly in his power. For the execution of this new scheme he employed a client of his, named *M. Claudius*, a man without shame or fear, and one of those who introduce themselves to the ear of the great, by the sole merit of a base complaisance for their pleasures. This Minister of the Decemvir's passion, taking with him a band of fellows like himself, entered the publick school where *VIRGINIA* was, and seizing her by the arm would force her away to his own house, under pretence that she was the daughter of one of his slaves. He was already dragging her all in tears through the *Forum*, when the People, hearing a great cry, flocked about him, and, being moved with so pitious a sight, obliged him to let go his hold. The Villain, perceiving that he could not execute his first design, pretended that he had not meant to use any violence, but to proceed in due course of law; and he cited her to appear immediately before the Decemvir. *Virginia* by the new Laws was obliged to follow the claimant to the tribunal of justice, where *Appius* was that day designedly alone upon the bench. The multitude all attended her, some out of curiosity to see the issue of so strange a business, and others out of affection to *Leilius*, who during his Tribunate had made himself very agreeable to the People. *Claudius* was going instantly to open his claim; but the People full of indignation cried out, that he ought to wait 'till *Virginia's* relations, who had been sent for, were come. To this the Judge consented; and *Numitorius*, the uncle of the young woman, arrived soon after with a great number of his kinsmen and friends.

Year of R O M E his house ; that she was privately stolen away by a slave her mother, who, CCCIV. to conceal her theft, had pretended to be delivered of a dead child : But • Bef. J. C. that it had since been discovered that she had sold this child to *Virginus's* Four hundred forty eight. wife, who was barren, and who, being uneasy at having no child, had made *Virginia* pass for her daughter : That he would soon produce undeniable testimonies of what he advanced ; that in the mean while it was Third Decemvirate. but just that a slave should go with her master ; and that he would give good security for her appearance again, if *Virginus*, at his return, still pretended to be her real father.

D. Hal. B. §. II. *NUMITORIUS* presently saw that there was somebody of 11. p. 711. much greater weight and power than *Claudius* at the bottom of this contrivance ; but he prudently concealed his suspicions, and represented to the Decemvir with a great deal of calmness, that his niece's father was absent in the service of his country ; that it was highly unjust to dispute a citizen's right to his very children, when he was not present to assert it ; Livy, B. 3. c. 44. that *Virginus*, upon notice, would not fail to be at *Rome* in two days, 'till whose return it was but fitting that her uncle should have the care of her. *Numitorius* offered to give any security whatsoever for producing her again, but he said it was not reasonable to trust the daughter of *Virginus* in the house of such a one as *Claudius*, where her honour would be in danger even more than her liberty. He added, that what he demanded was conformable to the laws, which ordained, that during a law-suit, and before a definitive sentence, the plaintiff should not disturb the defendant in his possession.

D. Hal. B. The whole Assembly shewed by their applauses, that they thought this 11. p. 713. request to be perfectly just. *Appius* having caused silence to be proclaimed, and affecting the impartiality becoming a Judge, declared that he should always be the protector of so reasonable a Law, and which he himself had inserted in the Twelve Tables : But that in the present dispute there were some particular circumstances which altered the case ; that here were two persons claiming, one as a father, the other as a master ; that, if he who pretended to be the father of *Virginia* were present, he indeed ought to be allowed the possession of her 'till the decision of the contest, but that, he being absent, the person who claimed her as his slave ought to have that possession, giving good security, however, to produce her again at the return of him who was called her father. This said, he ordered *VIRGINIA* to be delivered up to *Claudius*.

All the people present exclaimed against so iniquitous a Decree ; and nothing was to be heard but cries of indignation, shrieks and lamentations. The women with tears in their eyes gathered round *Virginia*, and placed her in the midst of them, as if they meant to defend her. In this instant *ICILIUS*, to whom she had been promised in marriage, came running into the *Forum* with fury in his eyes, and loudly demanding who he was that durst lay violent hands upon a free woman, and what were his pretensions ? *Appius*, who perceived him breaking through the crowd, ordered a Lictor to oppose his passage, and to tell him that the affair was already

already judged. But nothing could stop the enraged lover; he forced his way up to the Tribunal, and taking *Virginia* in his arms, "No *Appius*, *he cried*, nothing but death shall separate me from her. If thou wouldst have thy vile artifices concealed, thou must murder me. Assemble all thy *Lictors*, and, if thou wilt, those of thy *Colleagues* too; bid them prepare their rods and axes; but to my last breath I will defend her honour. Have you deprived the *Romans* of the protection of their *Tribunes*, that you may subject their wives and daughters to your lewdness? Go on to exercise your rage in scourging and slaughtering the *Roman* Citizens, but let modesty and chastity escape your tyranny. *Virginia* is mine, she is promised to me, and I expect to marry a virgin pure and unspotted. I will receive her from no man's hands but her father's. If in his absence any attempt be made to do her violence, I will implore the aid of the *Roman* People for my wife; *Virginius* will demand the assistance of his fellow-soldiers for his daughter; and both Gods and Men will be on our side."

The People, equally moved with his misfortune and his courage, fell upon the *Lictors*, who were forcing away *Virginia*, dispersed them, and obliged *Claudius* himself to seek refuge at *Appius's* feet. The Assembly was full of noise and confusion. The tumult increased by the arrival of those who flocked to the *Forum* from all parts of the city. *Appius*, quite stunned at seeing to what a degree the People were incensed against him, was for some time in doubt what measures to take. At length, having caused silence to be made: "It is well known (*said he*) *Icilius* only wants an opportunity of restoring the Tribuneship by means of a sedition. But, that he may have no pretence of complaint, I am willing to wait for *Virginius's* return 'till to-morrow. Let his friends take care to give him notice. It is not above four hours journey from hence to the camp. I will prevail upon *Claudius* to yield up somewhat of his right for the sake of the publick peace, and to let the girl remain in liberty 'till the return of the man she imagines to be her father. But, in case *Virginius* does not appear to-morrow, I would have *Icilius* know, that I shall not want any assistance from my *Colleagues* to put my decree in execution, or to keep in awe such seditious spirits as he."

Claudius, feigning to admit unwillingly of this delay, requested that at least *Icilius* might give security for producing *Virginia* on the morrow. The people all around immediately held up their hands, and every man offered eagerly to be his security. *Icilius*, touched with the affection of his fellow-citizens, broke into tears, while he returned them thanks. "To-morrow, *said he*, if there be occasion, we will make use of your assistance. To-day, I hope they will be satisfied with my security and that of all *Virginia's* Relations."

Appius, though intoxicated with his passion, durst not refuse such Bail: But he privately dispatched a messenger to his *Colleagues* who commanded the army, intreating them to arrest *Virginius* upon some pretence or other, and to keep him in close prison. He thought that, the Father

not

Year of
R O M E
CCCIV:
Bef. J. C.
Fourhun-
dred for-
ty eight.
Third
Decemvi-
rate.

Livy, B.
3. c. 46.

Bail: D. Hal. B.
11. p. 714.
Livy,
ibid.

Year of not appearing at the time appointed, he might then with a good colour
 R O M E deliver up the daughter into *Claudius's* hands : But his courier arrived at
 CCCIV. the camp too late. *Numitorius's* son and a brother of *Itilius* had been
 Bef. J. C. beforehand with him ; and *Virginius*, upon the first notice of his daugh-
 Four ter's danger, pretending the sudden death of some relation, had obtained
 hundred leave to return to *Rome*, and was already gone. And he had the good
 forty- fortune to escape two parties of horse, one which, upon the receipt of *Ap-*
 eight. *pius's* Letter, the Decemvirs sent after him to stop him, and the other, which
 Third *Appius*, with the same design, had placed in the road that led from the city
 Decemvi- to the camp.
 rate.

Livy, B. 3. c. 47. He appeared the next morning in the *Forum* pierced to the heart with
 grief, and leading by the hand his daughter all drowned in tears : She
 was accompanied by her kinswomen, and by a great number of other
 ladies. *Virginius*, as he passed along, addressed himself to his fellow-
 citizens with an air of dignity, that seemed to demand their assistance,
 rather than to implore it. " To what purpose, said he, do we every day
 " expose our lives in war to defend our wives and children from a foreign
 " enemy, if our Tyrants at *Rome* exercise upon them all the violence that
 " can be suffered in a city taken by assault ?" *Itilius*, quite furious with
 love and resentment, inveighed loudly against *Appius*, without any re-
 serve : But the silent tears of the whole train of women affected the multi-
 tude more than any words or exclamations.

D. Hal. B. §. III. *APPILIUS* heard with extreme surprise that *Virginius* was in
 11. p. 715. the *Forum*. Full of rage and vexation he repaired instantly thither, with
 a numerous guard of his dependants and creatures. Having ascended
 his Tribunal, he bid *Claudius* open his demand, and proceed in his action.
Claudius then repeated what he had said the day before, and at the same
 time produced the slave, whom he had suborned, and who, out of fear of
 her master, declared that she had sold *Virginia* to *Virginius's* wife. The

* Mr Vertot, B. 5. p. 71, quotes D. Hal.
 as saying, B. 11, that *Appius*, to prevent all
 resistance, ordered down the troops [2 legions]
 that were in the Capitol, and that they took
 possession of the *Forum*. And soon after
 quotes *Livy*, as telling us, that the multitude
 were attacked by *Appius's* soldiers. There is
 nothing either in *Dion. Hal.* or *Livy*, from
 whence it can be gathered, that *Appius* em-
 ployed any soldiers on this occasion. It is
 true, *Dion. Hal.* represents him saying to the
 People, that the troops in the Capitol were
 not placed there only for defence against a
 foreign enemy, but also to prevent riots in
 the city. And *Livy* (c. 48.) makes him
 insinuate to the People, in order to terrify
 them, that he has brought down some armed
 men from the Capitol. But we do not find
 in either of those two Historians, that these

armed men ever appeared. D. Hal. says,
 p. 714, that *Appius* came to his Tribunal
 μέγα πολλὰ σίφους, but it was ἐταίρων καὶ πελα-
 τῶν, (a great company of his friends and cli-
 ents) as appears by the context. And *Livy*
 (c. 49.) having mentioned the resistance
 which *Appius's* Lictors met with when they
 would have seized *Itilius*, adds, *Quum locus*
advenndi apparitoribus non daretur, ipse cum
agmine Patriciorum juvenum per turbam wa-
dens in vincula duci jubit. *Appius*, the most
 despotick Magistrate that had appeared in
Rome since *Tarquin*, did not venture to ex-
 ercise so avowed a tyranny, as to employ
 his armed soldiers to attack unarmed citizens.
 This is evident, not only from what the
 Historians say of those who aided and abet-
 ted him, but from his being worked in the
 conflict with his adversaries.

claimant

claimant added, that he had many other credible witnesses to produce, if there were occasion; and that he humbly hoped his being the Judge's client would not be thought a good reason for refusing him that justice, which every other man would obtain in the like case: And he concluded, with intreating the *Decemvir* not to suffer himself to be influenced by his compassion to the prejudice of truth and right.

Year of
R O M E
CCCIV.
Bef. J. C.
Fourhun-
dred for-
ty eight.

The friends and relations of *Virginia*, to destroy this imposture, represented, that her mother *Numitoria* could have had no temptation to practise such a fraud as was pretended; that she was married very young, and to a man almost as young as herself; that she bore a child in a very few years after her marriage; that if she had proved barren, and had been minded to introduce a stranger into her family, she would never have taken the child of a slave, and certainly not a girl, when she might as easily have had a boy. That, as to those many credible witnesses which *Claudius* talked of producing, it was highly improbable that a transaction which required so much secrecy should be imparted to many persons, when one was sufficient for the purpose. That, granting *Numitoria* to have been guilty of so strange a folly, it was yet stranger that an affair intrusted with so many confidants should remain so long a secret. That it was impossible to account why *Claudius* himself should be so profoundly silent in this affair for fifteen years, and should never declare his pretensions 'till the young woman was become marriageable, and appeared in that wonderful degree of beauty.

Third
Decemvi-
rate.
D. Hal. B.
11. P. 715
716.

At these words all eyes were turned upon *Virginia*; the modesty of her countenance, her tears, her youth, her innocence, and, above all, her amazing beauty, which, clouded as it was with excessive grief, had yet a surpassing lustre, filled every breast with the most tender compassion. Nor could they help reflecting with extreme concern and terror, that, if the laws of liberty were thus violated in the person of this young maid, there could be no longer any security for wives or daughters against the like dishonour. For every body was already convinced, that the allegations of *Claudius* and his witness were mere imposture, and the wicked contrivance of some dignified villain, who thought himself at liberty to do whatever he pleased.

But to those arguments, shewing the improbability of what *Claudius* had alledged, *Virginius* added, that he had witnesses of unquestionable credit ready, (whom he named, and who he desired might be strictly examined) who would testify, some, that they had seen *Numitoria* big with child, others, that they had been present when she was delivered of this daughter, and others, that they had seen her give suck to young *Virginia*, which she could not have done, had she been barren, as *Claudius* pretended.

Virginius was still going on with his plea, when *Appius* perceiving the impression that was made upon the Assembly by those unanswerable reasons which had been offered, and being determined at any rate to accomplish his enterprize, interrupted him, and commanded silence, signifying,

Year of ROME that he himself had something to say. All the People, being curious and anxious to know what it was, were presently still, and listened to him with attention.

Bef. J. C.
Four hundred forty-eight.

Third Decemvirate.

The Decemvir having first cast his eyes on all sides to observe his strength, and how his friends were posted, "*Virginus*, said he, I must acquaint you, and all who are here present, that this is not the first time I have heard of this affair. I was told of it long before my election to the Decemvirate. *Claudius's* father, at his death, desired me to be guardian to his son; (his ancestors, you know, were always clients of our family.) Intimations were soon after given me, that I ought to claim this young slave in right of my ward. Hereupon I examined into the matter, and found the fact to be exactly as *Claudius* has represented it. However, I did not think it became me to meddle in an affair of this nature, but chose rather to leave it for him to manage when he should come of age, when he might either take back the girl, or accept of a sum of money for her from the parties who had bred her up. Our civil feuds, and the hurry of publick business, hindered me afterwards from giving any attention to the concerns of *Claudius*. He has applied himself of late, I suppose, to examine into the state of his affairs, and he finds this girl to belong to him, as part of his inheritance. I can see nothing unjust or unreasonable in the demand he makes, to have the daughter of his slave restored to him. It would have been better indeed if the thing could some way or other have been compromised. But, since a suit has been commenced upon it, I am obliged in conscience to give testimony in his favour; and, upon what I myself know, I do, as judge, pronounce him lawful master of this girl."

Virginus, provoked to the highest pitch at so unjust and cruel a sentence, no longer kept any measures with the Decemvir. Holding up his hand at him, "*Appius*, I promised my daughter to *Scilius*, and not to thee. I educated her for honourable marriage, and not to be a prey to an infamous ravisher. What? Is the lawless lust of savage beasts to prevail among us? How the citizens here will bear with these things, I know not; but I trust that those who are in arms will not endure them."

The People at these words set up a loud cry full of indignation, and they seemed at first as if they would oppose the execution of *Appius's* decree. But the Decemvir with a threatening voice told them, that he was not unacquainted with the seditious meetings which had been held the night before, nor with the plots there laid to cause an insurrection, but that he wanted neither power nor resolution to chastise those who should dare to disturb the publick peace; that the soldiers in the Capitol had not been placed there only for defence against the foreign enemy: And he advised them therefore to be careful of their behaviour, and to retire quietly to their own houses. "And you, said he, (*speaking to one of his Lictors*) go put aside the crowd, and make room for a master to lay hold of his slave."

The multitude terrified at these menaces, and the wrathful manner in which they were uttered, instantly gave back, and left the unhappy *Virginia* standing by herself, a helpless prey to injustice. *Virginius*, who then saw that there was no other remedy, turning towards the Decemvir, in humble manner thus addressed him: "Pardon, *Appius*, the unguarded words which escaped from me in the anguish of a fatherly grief, and allow me, if you please, before *Claudius* takes away the girl, privately to ask, in her presence, some questions of her nurse, that I may be set right in this matter, and, in case *Virginia* be not really my daughter, may return to the camp in less affliction."

Year of
R O M E
CCCIV.
Bef. J. C.
Four
hundred
forty-
eight.
Third
Decemvi-
rate.

Appius readily granted him this request, upon condition however, that it should be in *Claudius's* sight, and without stirring out of the Forum. *Virginius*, pierced to the heart with the sharpest sorrow, took his daughter, half dead, in his arms; he wiped away the tears in which her face was all bathed, embraced her, and, drawing her near to some shops which were on the side of the Forum, chance directed him to a butcher's knife: Having instantly seized it, "My dear daughter, this is the only way to save thy honour and thy liberty:" As he said these words he plunged the knife into her heart: Then drawing it out again all smothered with her blood, he turned towards the Tribunal, and with a furious voice cried out, "By this blood, *Appius*, I devote thy head to the infernal Gods."

D. Hal. B.
11. p. 718.
Livy, B.
3. c. 48.

The Decemvir, from his Tribunal, called out, in the greatest fury, to seize him; but he with the knife in his hand made his way through those who would have stopt him, and, being favoured by the Multitude, got out of the city, mounted his horse, and took the road to the camp. In the mean while, *Numitorius* and *Icilius* raised a great commotion in Rome; they staid by the dead body of *Virginia*, shewed it to the eyes of the People, and besought them not to let her death go unrevenged. Crowds flocked to the Forum from all parts; they uttered bitter exclamations against the Decemvirs, and demanded the re-establishment of the ancient government and of the Tribunes. As for *Appius*, he was now returned to his own house. He had waded through an ocean of wickedness, to reach a prize which escaped him for ever, in the very moment he thought to take possession of it. He had been a spectator of the murder of her whom he loved to excess, a murder of which he himself was the cause; and by his last stroke of tyranny had made sure of the extreme hatred and indignation of the Roman People. Stung with these reflections, he seemed to have quite lost his reason. Instead of endeavouring to pacify the multitude, he sent his Lictors to seize *Icilius* and carry away the dead body from the Forum. The People opposed the execution of his orders, and, being now urged to fury, fell upon his Lictors, broke their fasces, and drove them out of the Forum. *Appius* hereupon getting together, as fast as he could, a great number of his friends and clients, came in person to support his authority. But *Valerius* and *Horatius*, those sworn enemies of the Decemvirs, having had notice of his motion, had put themselves at the head of a band of brave young men, marched them into the Forum, and

c. 49.

Year of placed them round the body of *Virginia*. At first the two parties discharged their fury against each other in mutual reproaches and invectives: R O M E charged their fury against each other in mutual reproaches and invectives: CCCIV. But they soon after came to blows. *Appius* was worsted and repulied. Bef. J. C. In this perplexity not knowing what else to do, he got up into the Temple of *Vulcan*, and there took upon him to act the part of a Tribune of the People, demanding that *Valerius* and *Horatius* should be thrown head-long from the *Tarpeian* rock, as disturbers of the publick peace: But the multitude hissed at so senseless a discourse; and in the mean time *Valerius*, having caused the body of *Virginia* to be carried to the top of a flight of steps, where the People might see it, was from the same eminence inveighing against *Appius*. Most of the Decemvir's auditors soon left him to go to *Valerius*, who, thereupon assuming the authority of a Magistrate, commanded the Licitors to pay no more attendance on a private person. And now *Appius*, terrified at the desertion of many of his Creatures whom he saw changing sides, believing his life to be in danger; hiding therefore his face with his robe he fled, and took refuge in a neighbouring house. At this juncture *Oppius* the *Plebeian* Decemvir rushed from another side into the Forum to succour his Colleague. But he came too late. Force had got the better of authority. He judged therefore that the wisest method in the present exigence was to assemble the Senate; and this in a great measure quieted the People; for they hoped that the Decemvirate would speedily be abolished. But those of the Fathers who happened to be in *Rome* were most of them friends to the present Government; they only ordered the People to behave themselves peaceably, and commissioned some young members of their body to go to the camp near the *Algidus*, to prevent the sedition which *Virginus* might excite there. In the mean time *Valerius* and *Horatius* caused the body of *Virginia* to be laid in an open litter, and to be carried in great pomp through all the high-streets, in order to excite the compassion of the citizens, and increase their detestation of the Decemvirs. Men and women, old and young, married and unmarried, all ran out of their houses to see this funeral procession, and they all bewailed her fatal beauty, and her untimely death. The women with tears in their eyes threw, some of them flowers upon the litter, others the ribbons from their heads to adorn it, others cast their girdles, their fillets, wreaths of their hair upon it. The men also contributed, every one, some little present.

The whole city would have revolted immediately from the Government, had not the Decemvirs been actually commanding armies, and had not *Valerius* and *Horatius* (who managed this business, and who hoped to compass their point without effusion of blood) thought it more advisable to wait and see what *Virginus*'s return would produce in the army near the *Algidus*.

§. IV. HE entered the camp, attended by near 400 citizens, and still holding in his hand the bloody knife with which he had killed his Daughter. The soldiers at this strange sight flocked to him from all quarters. *Virginus* got upon a small eminence, from whence he might the more easily

easily be heard : His face was drowned in tears, and grief for a while tied his tongue. At length breaking his mournful silence, he related to them the whole tragical story, and then raising his hands to heaven, " I call you to witness, immortal Gods, that *Appius* alone is guilty of the bloody deed I was forced to commit. And you, my fellow-foldiers, I conjure you not to drive me out of your company as a parricide and the murderer of my daughter. I would willingly have sacrificed my own life to have preserved her's, if she could have lived with her honour and her liberty. But finding that the tyrant was determined to make her a slave, that he might have an opportunity to dishonour her, pity alone made me cruel : I rather chose to lose my daughter, than keep her with shame ; but I would not have outlived her one moment, had I not hoped to revenge her death by your assistance."

Year of
R O M E
CCCIV.
Bef. J. C.
Four hun-
dred forty-eight.

Third
Decemvi-
rate.

The centurions and soldiers, filled with compassion for his misfortune, and with indignation against the Decemvir, all assured him, that they would not fail him in any thing he should undertake against *Appius*. Nay, they resolved to extend their resentment to all the Decemvirs, and to shake off the yoke of a dominion that was now grown into an avowed tyranny.

The Decemvirs who commanded the army being informed of *Virginius's* return, and of the disposition of the soldiers, sent for him with design to secure him. No obedience was paid to their orders. The troops were all eager to return to *Rome* ; nothing but the military oath withheld them. They thought they could not leave their Generals without offending the Gods, and dishonouring themselves. *Virginus*, who burnt with impatience to revenge himself of *Appius*, quickly removed their scruple, by assuring them, that a *Roman* could never be under any obligation to obey usurpers and tyrants ; that the Decemvirs were notoriously such, and that therefore to submit to them would not be obedience and piety, but madness and superstition. There needed no more to satisfy the conscience of the soldiers. They immediately flew in a kind of fury to their arms, snatched up their ensigns, and under the conduct of their respective Centurions took the way to *Rome*. The Decemvirs, startled at so general desertion, ran to stop them. : But, wherever they turned themselves, they found only exasperated spirits, who breathed nothing but vengeance. If the Decemvirs spoke to them in gentle terms, they received no answer. If they pretended to threaten or command, the soldiers sternly answered, *We are men, we have swords in our hands.*

D. Hal. B.
11. p. 723.

Livy, B.
3. c. 50.

D. Hal. B.
11. p. 724.

The army entered *Rome* about evening, without making the least disturbance, and without so much as a soldier's stirring out of his rank. As they passed along they assured their friends and relations, that they were returned only to destroy tyranny. All the troops marched quietly thro' the city to mount *Aventine*, fully resolved not to separate till they had obtained the desposal of the Decemvirs and the restoration of the Tribuneship.

§. V. *APPIUS*, terrified with remorse of conscience, and with the revolt of the army, durst not appear in publick. But *Oppius*, his Colleague, had recourse in this distress to the authority of the Senate, which he convened with all expedition.

Year of ROM E of severity, because they themselves had given occasion to the sedition. The
 CCCIV. result of their debate was to commission *Sp. Tarpeius*, *C. Julius*, and *P.*
 Bef. J. C. *Sulpitius*, all three Consulars, to go to mount *Aventine* and demand of the
 Four hundred forty-eight. soldiers, *By whose orders they had left their camp? what their intent was in*
possessing themselves of mount Aventine? and why, quitting the war begun a-
gainst the enemy, they had invaded their own country?

Third Decemv- The soldiers did not want an answer, but they wanted a speaker, for as
 rate. yet they had not chosen themselves a head; and no one man among them
 Livy, B. would venture to act as Chief in this revolt. They remained for some
 3. c. 50. time in silence, but at length they all cried out with one voice, *Let Vale-*
rius and Horatius be sent to us, we will give an answer to the Senate by them.

c. 51. As soon as the three Commissioners were gone, *Virginius* took notice
 to the soldiers how much they had been puzzled, even in an affair of no
 great importance, for want of a Head; that the answer they had fallen
 upon, though pertinent enough, had proceeded rather from casual agree-
 ment, than previous and publick counsel; and he advised them therefore
 to chuse ten persons to be over them, and to manage for them. Instantly
 they named him the first to that honour, but he excused himself, desiring
 them to reserve their good opinion of him to happier times. "No ho-
 nours, *said he*, can give me pleasure while my daughter is unrevenge'd,
 "nor is it adviseable for you, in such a season of trouble as this, to chuse
 "those men to be your directors and agents who are most obnoxious to
 "the parties you are to treat with. If you think me capable of being
 "useful to you, I shall not be less so in a private capacity." The army
 hereupon appointed ten other Centurions to be their Governors, with the
 title of Military Tribunes.

The example of this army was followed by that employed in the war
 against the *Æqui*: for *Numitorius* and *Icilius* had gone thither, and had
 spirited up the soldiers to desert their Generals. With colours flying they
 marched straight towards *Rome*, and having advice, by the way, of the steps
 taken by the troops on mount *Aventine*, they in like manner, at the insti-
 gation of *Icilius*, (a man skilful in popular affairs) chose themselves *ten*
Military Tribunes, to govern and conduct them. (What moved *Icilius* to
 give this counsel was an apprehension, that, without such election, the ten
 Tribunes of the other camp might be thought to have a kind of right to
 be appointed the *Ten Tribunes of the Commons* in the next Comitia that
 should be held for naming those Magistrates, and he himself had a view
 to be one of the College.) These troops entered the City, and marched
 through it in the same good order, and with the same peaceable behaviour,
 as had been observed by the other, whom they presently after joined. And
 then the united armies commissioned their twenty Military Tribunes to e-
 lect two out of their number to be supreme over all. The choice fell upon
M. Oppius and *Sextus Manilius*.

The Senate in the mean while, anxious for the Commonwealth, sat every
 day to consider of some effectual remedy for the present evil. (Such de-
 fertions

sertions were of dangerous example ; and the frontiers were left exposed to the invasions of the enemy.) But the time, which should have been employed in sage deliberation, was wasted in strife and wrangling. The Decemvirs were incessantly reproached with the murder of *Sicinius*, the lust of *Appius*, and the miscarriages in the war. At length it was concluded to send *Valerius* and *Horatius* to mount *Aventine* ; but then these two Senators, finding that their mediation was become necessary, protested that they would not move a step so long as the Decemvirs, whom they called usurpers, remained Masters of the Government.

Year of
R O M E.
CCCIV.
Bef. J. C.
Four
hundred
forty-
eight.
Third
Decemvi-
rate.

The Decemvirs, on the other hand, declared that they would not resign their authority 'till they had proposed to the People the two last Tables of Laws, and had got them passed ; and that this was the only term fixed for the expiration of their Magistracy. Nay, *L. Cornelius*, yet a warm partisan of the present Governors, advised against entering into any negotiation with the two armies, 'till they were returned to their former respective camps ; upon which condition he was for offering the soldiers a general pardon, with an exception however to the Authors of the desertion.

D. Hal. B.
11. p. 725-

The soldiers on mount *Aventine* receiving accounts from *M. Duilius* (who had been formerly a Tribune) of what passed in the Senate, came to a resolution to remove their camp to the *Mons Sacer*, a place which would put the Senators in mind of the steady resolution of the *Commons*, and make them sensible of the absolute necessity of restoring the Tribuneship, in order to a re-union. Thither they marched, fortified themselves there, and observed the same good discipline for which their ancestors had been so much admired. In this decampment they were followed by such numbers of the Citizens, with their wives and children, that *Rome* was in a manner deserted : “ What have we to do, said they, in a City where neither chastity nor liberty is safe ? ” The *Conscript Fathers*, astonished as they passed to the Senate-house to see the streets so thin of people, and that, except a few old men, there was scarce any body in the Forum, came now for the most part into the sentiments of *Horatius* and *Valerius*. They declared that it was madness in the Decemvirs to think of retaining their authority, when they had no subjects to govern. “ What ! said they, will you administer justice to empty houses and bare walls ? Are you not ashamed to see that all the citizens in the Forum scarce equal the number of your Lictors ? In short, you must resolve either to have no *Commons*, or to allow them *Tribunes*. They extorted from our forefathers that *Plebeian Magistracy*, of which they had not then experienced the benefit ; and do you imagine, that, when they have tasted the sweets of it, they will ever consent to part with it, and especially since your Government has not been so moderate and gentle, as to make them feel no want of protection and succour ? ”

The Decemvirs, finding that there was no remedy, promised at length to be wholly governed by the Senate ; they only desired, that they might not be sacrificed to the hatred of their enemies, and reminded the *Fathers*,
that

Year of that it concerned them nearly not to accustom the People to shed the
 R O M E. blood of *Patricians*.

CCCIV. §. VI. *VALERIUS* and *Horatius*, having brought this affair to the
 Bef. J. C. point they had wished, repaired to the camp, and were received by the
 Four hundred soldiers as their protectors. The Army, by the mouth of *Icilius*, de-
 forty- demanded the restoration of their Tribunes, and of their privilege of ap-
 eight. peal, and an amnesty for all who had left the camp without permission
 Third from their Generals. But first of all they required, that the Decemvirs
 Decemvi- should be delivered into their hands; and they loudly threatened to burn
 rate. them all alive.

Livy, B.
 3. c. 53.

The two mediators were not more favourable to those Magistrates than the People themselves; but they prosecuted the design of destroying with more art. At the same time that, in general terms, they exhorted the multitude not to be governed by cruel thoughts, (bidding them remember that they had more occasion for a shield than a sword) they insinuated to them, that when they were in possession again of their rights, and when their Tribunes, their Laws and Assemblies, were restored to them, they would then have it in their power to do justice to themselves.

c. 54.

The multitude, fully persuaded that no *Tribunes* whatsoever could have more Zeal for the interest of the Commons than *Valerius* and *Horatius*, trusted every thing to their management; who, returning without delay to the Senate, reported the Demands of the Army; but said nothing of its bloody designs against the Decemvirs. These Magistrates, hearing no mention of their punishment, readily yielded to all that was asked; only *Appius*, cruel by nature, and judging of other men's hatred to him by his to them, said aloud, "I am not ignorant of the fate I am to expect. The attack is only deferred 'till my enemies have got arms in their hands. Nothing but my blood will satisfy their malice. Be it so. I am ready nevertheless to resign the Decemvirate, and I care not how soon I do it." Hereupon the Senate pass'd a Decree, *That the Decemvirs should instantly depose themselves; that the Pontifex Maximus should hold the Comitia for electing Tribunes, and that no notice should be hereafter taken of the desertion of the soldiers from their Generals, or the retreat of the Citizens to the Mons Sacer*. Submitting to this Decree, the Decemvirs immediately repaired to the *Forum*, and there abdicated their Magistracy, to the great joy of the City. The news of their abdication was presently carried by *Valerius* and *Horatius* to the Camp: "Return, soldiers, to your country, your Household-Gods, your wives and children; and may this return be happy to you and to the Commonwealth!" Instantly the army snatched up their ensigns, and exulting with joy returned to *Rome*. But, before they separated, they marched a second time, accompanied by the rest of the Commons, to mount *Aventine*, where they made an election of their Tribunes. *A. Virginus* the father of the hapless *Virginia*, *Numitorius* her uncle, and *Icilius*, to whom she had been betrothed, were

* *Livy* makes this Decree and another to be the acts of the Commons, presently after they had chosen their Tribunes.

the

the first chosen. Then C. Sicinius, M. Duilius, M. Titinius; M. Pomponius, C. Apronius, P. Villius, and C. Oppius. An Inter-Rex was afterwards created, who held an assembly by *Centuries*, and, according to the votes of the People, named L. Valerius and M. Horatius to the Consulship.

Year of
ROME
CCCIV.
Bef. J. C.
Four-
hundred
forty-
eight.

§. VII. THE Administration of these Consuls was wholly popular, and the *Plebeians* obtained from them what they could hardly have hoped from their very *Tribunes* themselves. In the first place: Whereas it was a disputable point of Law, *whether the PLEBISCITA* [the Decrees of the *Commons*] would bind the *SENATORS*; the Consuls now passed a LAW in *COMITIA CENTURIATA*, importing, That what the *COMMONS* should enact, in *COMITIA TRIBUTA*, should bind the whole ROMAN PEOPLE. By which Law (says *Livy*) the Bills of the *Tribunes* were armed with a very dangerous weapon^a.

Sixtieth
Consul-
ship.
D. Hal. B.
11. p. 725.
Livy, B.
3. c. 55.

The

^a Omnium primum, quum veluti in controverfo jure esset, tenerentur PATRES Plebiscitis, legem CENTURIATIS COMITIIS tulere ut quod TRIBUTIM PLEBES jussisset, POPULUM teneret; qua lege tribunitiis rogationibus telum acerrimum datum est. *Livy*, L. iii. c. 55.

Dionysius (L. xi. p. 726.) writes, "That this LAW put an end to the *Disputes* which had subsisted between the *Patricians* and *Plebeians*, concerning the *Plebiscita*, made in the *COMITIA TRIBUTA*, which the *Patricians* would not submit to, nor allow to be binding on any but *Plebeians*." The Historian goes on, "It has been already said, that in the *Comitia Tributa* the *Plebeians* and the *Poor* had the better of the *Patricians*; but that in the *Comitia Centuriata* the *Patricians*, though much inferior in number to the *Plebeians*, were superior to them in strength."

[This last assertion, how often soever he may have repeated it, I apprehend to be a great mistake. He seems here to make the terms *Patrician* and *Plebeian* equivalent to *Rich* and *Poor*. The *richer Citizens* had doubtless a superiority of strength in the *Comitia by Centuries*; but the *Patricians* had not. The majority of the voters in the majority of the *Centuries* were unquestionably *Plebeians*, and the *Patricians* were overpowered, as well as out-numbered by the *Plebeians* in the *Comitia Centuriata*. Had it not been so, had the *Patricians*, in the *Centuriate Comitia*, been superior in strength to the *Plebeians*, how consummately ridiculous would be *Livy's* admiration of the virtue of the *Roman People*, for their chusing to the Mili-

tary *Tribuneship* *PATRICIANS only* (Y. of R. 369.) though the *Plebeians* were qualified, by law, to be chosen to that Magistracy! *Livy*, B. 4. c. 6.]

As to the memorable LAW (called *Lex Horatia*) now enacted by the *Comitia Centuriata*, *Dionysius* would have better satisfied the curiosity of his readers, if he had given them some instances of *PLEBISCITA*, made in *COMITIA* by *TRIBES*, to which the *PATRICIANS* had refused to submit. In his seventh Book he mentions a *Plebiscitum* that made it penal to interrupt a *Tribune*, when speaking to an assembly of the People. And he tells us, that this *Plebiscitum* was followed by much altercation between the *Consuls* and the *Tribunes*. And that the *Senate* and the *Commons* mutually refused to ratify each other's *Decrees*.

Vid. supr.
189, 190.

Μετὰ τῆτο πολλὰ καὶ περὶ πολλῶν ἐγίνοντο τοῖς δημάρχοις πρὸς τὰς ὑπάτους ἀντιλογίαι, καὶ ὅτε ὁ δῆμος ὁποσαῖ βουλῇ φησίσαιτο κύρια ἡγεῖτο, οὔτε ἂν ὁ δῆμος γνῶνι τῇ βουλῇ φίλιόν τι ἢ ἀντι- παρατεταμένοι δὲ καὶ δι' ὑποψίας ἔχοντες ἀλλήλους διετέλυν. D. Hal. L. vii. p. 432.

Deinde multæ variisque de rebus inter *Tribunos* & *Cōs*, altercationes sunt sequutæ, & neque ipsa *Plebs senatus*-consulta rata habebat, neque *senatus ipse* ulla *plebiscita* approbabat. Sed magna contentione utrique alteris adversabantur, & se invicem suspectos habebant.

But these things passed in the next year after the erection of the *Tribuneship*, and before the introduction of *COMITIA TRIBUTA*, even according to the *Greek Historian's* own account. Here then a question arises. In what *Comitia* were those *Plebiscita* made,

Year of
R O M E
CCCIV.
Bef. J. C.

Four
hundred
forty-
eight.

Sixtieth
Consul-
ship.

Vid. *supr.*
p. 235.
seq.

The *Lex Valeria* touching appeals to the Assembly of the People was confirmed anew, and strengthened with another Law, forbidding the future creation

creation

made, which were anterior to the first Assembly by Tribes? Not in the *Centuriata*: The Tribunes uerer attempted to hold those assemblies. And, as to the *Curiate*, we are told, that these could not be held but by a *Patrician* Magistrate, nor without a previous Decree of the Senate, nor without Sacrifices

and Auspices, the care and management of which were appropriated to the *Patricians*.

And we are likewise told, that the *Tribunes*, when they held Assemblies of the citizens for making Laws, observed none of these ceremonies and formalities. Particularly, with regard to the Senate's authorising their proceedings, *Appius Claudius* (in the debate on the affair of *Coriolanus*) enumerating, to the Fathers, the usurpations of the *Plebeians* and their *Tribunes*, mentions this among the rest, *They propose laws without consulting you, and they pass them without your approbation*, Νομοὺς τε ἀπροβουλευτὰς εἰσφέρει, καὶ τὰς ἐπιψηφίζει τῆς ὑμετέρας γνώμης δίχα. *D. Hal. L. vii. p. 455.* And this, as I before observed, was interior to the introduction of *Comitia Tributa*. Shall we not therefore be obliged to say, that, though the Assemblies of the *Curia* could not, by the original constitution of the State, be legally held, and were not held in the first years of the Commonwealth, nor perhaps, after the introduction of *Comitia Tributa*, without the conditions above specified, yet the *Tribunes*, soon after the institution of that magistracy, did, without any previous *Senatus Consultum*, convene the *Plebeians* of the *Curia*, and, in those assemblies, did, without Auspices, or any Religious Ceremonies, enact Laws, which were called *Plebiscita*?

By the treaty of Re-union (on the *Mons Sacer*) the *Tribunes* were authorised to hold *CONCILIA* of the *Commons*; and they seem to have turned these *Concilia* into *COMITIA* by *CURIAE*, as has been represented above, p. 189, 190. But it does not fully appear, whether the Senators and other *Patricians*, who were excluded the *Concilia* of the *Commons*, were suffered to be present, and vote in their *Comitia*. *Dionysius*, in the passage just referred to, represents the *Tribunes* as very expeditious in getting their *Plebiscitum* passed lest the Consuls should come and oppose it. But, by *Opposition* here, he may possibly mean

an opposition by Violence, disturbing the Assembly, and hindering it from concluding any thing; for this was no uncommon method with the *Patricians*, when they disliked a Bill, proposed by the *Tribunes*.

A SECOND difficulty is thrown in our way by what *Dionysius* says of the *Disputes* concerning the *PLEBISCITA* made in the *COMITIA* by *TRIBES*, and of the *Patricians* refusing to submit to them. I do not recall any one *Plebiscitum*, by him mentioned, as made, before this time, in *Comitia Tributa*, except the *Judgments* of the *TRIBES* in criminal and capital causes. And these *Judgments* did all take place, according to his own account. *Coriolanus* went into exile pursuant to the sentence against him; *Menenius* paid the fine, to which he was condemned; *Servilius* was acquitted; the sureties for the appearance of *Cæso Quinctius*, upon his running away to avoid trial, paid the money they stood bound for to the publick. So that when the Historian says, that the *Patricians* refused to submit to the *PLEBISCITA*, it is hard to guess what he means, unless it be, That (before the *Horatian Law*) the *Patricians* did not recognise the *COMITIA TRIBUTA* held by the *TRIBUNES*, as a legal Legislature, tho' they submitted, through necessity, to all their Decrees. In the case of *Cæso Quinctius* (year of Rome 292.) *Dionysius* (L. x. p. 631.) differing from *Livy*, who makes *Cæso* humble himself so far, as to solicit the favour of the multitude, represents him disowning the jurisdiction of the Court, and refusing to plead; yet the Historian introduces *L. Quinctius Cincinnatus*, the Father of the accused, pleading earnestly for his son to the Assembly.

It may be said, that this was the pure effect of necessity, and ought not to be construed into a recognising the Assembly for a lawful judicature. For in the year 298 (six years after the affair of *Cæso*) on occasion of the *Tribunes* citing the Consuls to appear in judgment before the *Tribes*, the Consuls openly affirm, *That the Tribunes have no power to summon thither, even the most inconsiderable of the Patricians, without a previous Senatus Consultum* for that purpose. *D. H. L. x. p. 661.* And in the contest about *Volero's* Bill (year of Rome 282.) *Appius Claudius* (then Consul) declared that he would for ever

oppose

creation of any Magistrate, from whose judgments an appeal should not lie to that Assembly, and permitting any person to kill the man who should attempt

Year of R O M E CCCIV.

Bef. J. C. Four hundred

dred forty-eight.

Sixteenth

Consulship.

oppose the enacting of any law, which had not first passed the examination and approbation of the Senate. And the conclusion of that contest was — The Senate made a Decree, authorising the People to give their suffrages upon the Bill, and then the Bill was by the People passed into a Law. *D. Hal. L. ix. p. 602.*

It is said above (p. 244.) that this Law was enacted by the *Comitia Centuriata*. Several reasons may be given in support of that opinion. First, the validity of this Law was never disputed; in the next place it underwent the form of a previous *Senatus Consultum*, and then, thirdly, it seems probable, at least, (for the reasons given in the Discourse at the end of Chap. xiii.) that there were no *Comitia Tributa* before *VOLERO's* Law was enacted.

But let us suppose, on the authority of *Dionysius*, that *Comitia Tributa* were in use from the time of *Coriolanus*; and that all the capital trials, which the Historian speaks of, as between that time and *Volero's* Tribuneship, and all the capital trials from *Volero's* Tribuneship to the Consulship of *Valerius* and *Horatius*, were in *Assemblies of the Tribes*, and that even *Volero's* Law was enacted in one of those Assemblies: What will follow from these facts, compared with the passages just cited from the Historian? Seemingly, at least, the consequence will be, that, before the *Horatian Law*, there were two sorts of *Plebiscita*: Some that were passed in *Comitia* held by the *Tribunes*, without previously consulting the Senate; others, that were preceded by an authorising Decree of the Fathers, as in the case of *Coriolanus*, and in that of *Volero's* Bill. That to the former sort the *Patricians* would not submit, but did submit to the latter. And that this is the reason, why we read of no opposition given to the execution of those sentences, which are said by *Dionysius* to have been passed against certain *Consuls*, and other great men, by the *Comitia Tributa*, held by the *Tribunes*: We may suppose that these Assemblies had been authorised by *Senatus Consulta* (though not mentioned by the Historian) to try and judge those persons. And then it will seem that the *Horatian Law* was enacted purely to give to the *Plebiscita*, that should be made in *Comitia Tributa*, without previously consulting

the Senate, the same force, as was allowed to those which had been made in the like Assemblies, authorised by a Decree of the Fathers.

According to *Livy* (L. 3. c. 54.) the *Commons* had no sooner recovered their *Tri-bunes* (upon the abdication of the *Decemvirs*) but to Law-making they went with all vehemence, even before they returned to their houses (for they were then incamped without the city.) *Tribunatu inito L. Icilius extemplo PLEBEM ROGAVIT, et PLEBS SCIVIT, ne cui fraudi esset secessio ab Decemviris facto.* Confestim de *Consulibus*, creandis cum *provocatione* M. *Duilius* rogationem pertulit. *Ea omnia in pratis Flaminiis CONCILIO PLEBIS acta.*

If I might here hazard a conjecture, I would say, that these proceedings, which were closely followed by the *Lex Horatia*, were the immediate occasion of this Law's being enacted. That when *Livy* says, *Ea omnia CONCILIO PLEBIS acta*, the words *Concilio Plebis* are not equivalent to *Comitis Tributis*. And that the new Law, while it gave the *PLEBISCITA* (the Decrees of the Commons) a force equal to that of LAWS made in the *Comitia Centuriata*, confined this privilege to such *Plebiscita*, as should be made *TRIBUTIM, i. e. in Comitia Tributa*, and did not extend it to decrees that might be made, *Concilio Plebis*. *Quum veluti in controverso jure esset, tenerentur ne patres PLEBISCITIS, legem Centuriatis Comitibus tulere, ut quod TRIBUTIM Plebes jussisset Populum teneret.*

Before the introduction of *Comitia Tributa*, there were unquestionably *CONCILIA PLEBIS* which assumed the power of Legislation; and I have not observed any cogent reasons for believing that there were no such *Concilia* after the *Assemblies by Tribes* were brought into use.

Should it be asked, what the difference was between *COMITIA TRIBUTA* held by the *Tribunes* and *CONCILIA PLEBIS*, I should say, that, from the former, only the *Senators* were excluded; but that all the *Patricians* were excluded from the latter. The latter therefore was an Assembly of the Commons, the former an Assembly of the People; which People nevertheless is sometimes called *Plebs*. *Plebs est ceteri cives sine senatoribus, Digest. L. 50. T. 16. N. 238.*

Year of attempt such a creation. To these Laws was added a Regulation importing, that the *Senatus Consulta*, which were often suppressed or altered by the Consuls, should for the future be transmitted to the *Ædiles*, and preserved in the Temple of *Ceres*.

§. VIII. THOUGH the *Patricians* in general greatly disliked all these proceeding, yet, because hitherto they saw no particular person of their Party attacked, they made no opposition to them. But the Scene quickly changed. The liberty of the People and the Power of the Tribunes being now firmly re-established, the latter thought the favourable time come for prosecuting the *Decemvirs*, and all the accomplices of their tyranny. *Appius* was the first accused. Upon a summons from *Virginus* (who was appointed to be the accuser) he came into the *Forum*, attended by a crowd of young Nobles, who had been his Ministers and his Guard during his *Decemvirate*. Their appearance brought afresh into the People's minds all the instances of his horrible abuse of power.

Then *Virginus* began, "Long speeches, O Romans, are for clearing up of doubtful cases. I shall not waste your time in expatiating upon the crimes of a man whose cruelty reduced you to the necessity of

It would seem that the Senators (in these times at least) were not allowed to vote in the *Comitia Tributa*, except when these Assemblies were held by one of the *Magistratus Majores*; and that then they were held with *Auspicia*. *Tributa Comitia* si *Plebeii* *Magistratibus*, hoc est, a *Tribuno Plebis* & *Ædile Plebis* facta sint, *sine Auspiciis* (ut ait *Dionysius*) esse facta: si a *Patriciis* *Magistratibus cum Auspiciis*. *Manut. de Com. Rom. cap. ix.*

Dr. Middleton (in his *Treatise on the ROMAN SENATE*, p. 119.) speaks too generally, when he says, that the Tribunes excluded them [the Senate] from any share or influence in the Assemblies of the Tribes. It would have been exact, I believe, if he had said, from THEIR Assemblies of the Tribes, that is, from the *Comitia Tributa* HELD by the TRIBUNES. But we find, in the year 307 (three years only after enacting the *Lex Horatia*) the CONSULS holding the *Comitia Tributa*, on occasion of the dispute between the *Ardeates* and *Aricini*, who had referred their cause to the arbitration of the Roman People: *Aricini atque Ardeates de ambiguo agro quum sæpe bello certassent—judicem Populum Romanum cepere.—Concilio Populi a Magistratibus dato—quum TRIBUS vocari et populum inire suffragium oporteret, confurgit P. Scaptius—si licet, inquit, CONSULES de republica dicere, &c. Quum, ut vanum, eum negarent CONSULES audiendum esse, vociferantemque prodi-publicam causam sum-moveri jussissent, Tribunos appellat, &c. Liv. B. 4. c. 71.*

I thought to have mentioned some particulars in the History of these first years of the Republick, that do by no means correspond to the rules laid down by the Learned as generally observed in the holding the several sorts of *Comitia*; and doing business therein; but I am glad to retire from these discussions under cover of a passage in the excellent work, before referred to, intitled *ELEMENTS OF CIVIL LAW*. In page 185 the learned, judicious, and candid Author, after speaking of the differences between *LEX* and *PLEBISCITUM*, and between the *Comitia Curiata* and the *Comitia Centuriata*, proceeds thus: "I judged it proper that my reader should snatch, in a short and comprehensive view, this part of the Roman constitution. He will more easily make himself master of particulars, even when they contradict, or vary from, his general System: and I am persuaded, that many things might be taught more successfully, if both writers and readers would sometimes consider that which they set off with, not as a part of the building, but only as so much scaffolding, to be laid aside afterwards, or thrown by the side and unnecessary. In the *Civil History* of a People, this doctrine may have fairer play, because the constitution of a country, at its final settlement, is best apprehended by the difference it carries with it, from the same constitution, when it first began to be moulded."

taking

“ taking arms to rescue yourselves from it : nor will I suffer him to add
 “ to his wicked deeds the impudence of defending them. *Appius*, I shall
 “ pass over the whole series of your flagitious practices during the space
 “ of two years. There is one crime only, from which if you do not in-
 “ stantly clear yourself, I order you to be led to prison.
 “ What have you to say for the sentence you passed against *Virginia*?
 “ Why did you, contrary to law, refuse a person, whose liberty was
 “ brought into dispute, the possession of that liberty till the suit was de-
 “ termined?”

Year of
R O M E
CCCIV.
Bef. J. C.
Four
hundred
forty-
eight.
Sixtieth
Consul-
ship.

Appius had no hope of assistance either from the Tribunes or the People; nevertheless he called upon the Tribunes; and when, none of them interposing, the Officer laid hold on him to drag him away, he cried out, *I appeal*. The sound of these sacred words (the guardians of liberty) tho' from a man who had so lately violated the laws of liberty, caused an universal silence. He then reminded the People of the merit of his ancestors, and of his own unhappy affection to the *Commons*, when to the great displeasure of the *Senate* he relinquished the Consulship, to make way for the Decemvirate, and the establishment of the new Laws; Laws which were still in force, while he the Legislator himself, contrary to the tenor of them, was condemned to Prison. He added, that, as to his merits and demerits, it would appear what they were, when his trial should come on; that at present he pleaded the common rights of a *Roman* Citizen, and only demanded the time necessary for preparing his defence: That if without being heard he was now sentenced to prison, he appealed once more to the Tribunes, and exhorted them not to follow the example of those they hated: That, if the Tribunes confessed they had come to an agreement among themselves to abolish the right of appeal, he appealed from them to the people, and implored the protection of the Laws just made, by joint consent of Consuls and Tribunes, to confirm that privilege. “ What
 “ Citizen can hope for any benefit from those Laws, if *Appius Claudius*
 “ can reap none? Your conduct with regard to me will make it ap-
 “ pear, whether this right of appeal, of which you seem so jealous, be
 “ only the appearance of a privilege, a thing subject to the cabals and
 “ private views of the Tribunes, or whether it be the real and firm sup-
 “ port of liberty.”

Virginius, in answer, said, that *Appius* was the single man who had no-
 thing to do with laws or any social compact, nor ought to have any benefit
 from them. That, having made himself perpetual Decemvir, his Tribunal
 had been the retreat and strong-hold of all wickedness; that regardless of
 Gods and men, and always surrounded by hangmen instead of Lictors, he
 had, contrary to all laws and privileges, despoiled, scourged, and mur-
 dered his fellow-citizens; that then, turning his mind from slaughter to lust,
 he had not been ashamed to tear a *Roman* maid of free condition out of her
 father's arms, deliver her into the hands of the vile minister of his pleasures,
 and reduce the father to the cruel extremity of killing his daughter, to pre-
 serve her honour: That, when the uncle and the person to whom she was
 betrothed

Livy, B.
3. c. 57.

Year of ROM E trothed were taking up the body of the expiring virgin, he had com-
 CCCIV. manded them both to prison, being more vexed at the disappointment of
 Bef. J. C. his intended rape, than touched with concern for the murder. That surely
 Fourhun- it was but fitting so infamous a wretch should go to that prison which he
 dred for- himself had built, and had insolently named the *Habitation of the Commons*
 ty-eight. of Rome. Then, turning to *Appius*, "Appeal therefore, as often as you
 Sixtieth "will; unless you instantly plead, I order you to jail as a criminal con-
 Consul- "demned."
 ship.

The commitment of a *Patrician*, of such high rank seemed to many persons, even among the Commons, an excessive stretch of *Tribunitian* power; yet no-body opposed it. *Appius* was that minute led to prison, and *Virginius* appointed him a day for making his defence.

Liv. B. 3. His uncle, *C. Claudius*, who had always been against the Decemvirs,
 c. 58. and who had particularly detested the pride and insolence of his nephew, hastened however to his aid as soon as he heard of his disgrace. It has been already said, that, to avoid being an eye-witness of the tyrannical Government of the Decemvirs, and of the miseries of Rome, he had retired to *Regillus*. He was no sooner come back to Rome, but he appeared in the Forum in a habit of mourning, and attended by all his relations and friends. He went from citizen to citizen, and besought each of them in particular not to fix such an ignominy upon the *Claudian* family, nor to suffer such a shame to themselves, as that the founder of their laws should lie in a dungeon with villains and robbers; but rather to forgive one of the *Claudii*, for the sake of so many of the name as interceded for him, than, out of hatred to one, to reject the prayers of so many. He added, that, the People having fortunately recovered their liberty by their courage, there was now nothing wanting to the happiness of the Republick, but the restoring of union between the two orders in the State, and that this would be best done by clemency.

Many of the citizens were moved to pity by the intreaties and intercessions of *Claudius*. But *Virginius* on the other hand begged them to have compassion for him and his daughter, and to have regard to the prayers, not of the *Claudian* family which had tyrannised over them, but of *Virginia's* relations, three Tribunes, who, being created for the succour of the People, ought in their necessity to receive succour from them. *Virginius* prevailed.

D. Hal. B. *Appius* died in prison before the day came for his trial; and *Dionysius*
 11. p. 726. tells us, that, tho' the Tribunes gave out that he had strangled himself, it was much suspected that he had been dispatched by their orders. *Livy*, without mentioning a word of the Tribunes, barely relates, that *Appius*, to avoid the infamy of a public punishment, put an end to his own life in prison.

Livy, B. The trial of *Sp. Oppius*, one of the *Plebeian* Decemvirs, followed next.
 3. c. 58. *Numitorius*, *Virginia's* uncle, (who was now a Tribune) prosecuted him, as an accomplice of *Appius*, whose injustice in her affair he had not opposed, tho' at that time in Rome. Nor was this the only crime laid to his charge.

A ve-

A veteran, who had served 27 years, and had been eight times honoured with military rewards, stripping off his robe, exposed his shoulders, which had been torn with rods by the Decemvirs Licitors; and he offered to submit himself to the same treatment again, if *Oppius* could assign any good reason for his cruelty. The accused was condemned by the unanimous suffrages of the People; he was thrown into prison, and *Dionysius* tells us, that he died there the very same day. The other eight Decemvirs sought their safety in flight, and banished themselves. Their effects were confiscated and sold, and the produce carried by the Quæstors into the publick treasury. *Marcus Claudius*, the instrument employed by *Appius* to get *Virginia* into his power, was condemned to death: but, as he laid all the crime upon *Appius*, *Virginius* was contented with his exile, doubtless in consideration that the wretch had acted in compliance with the will of a Magistrate from whom he could have no appeal.

Thus was revenge taken for the innocent blood of the unfortunate *Virginia*, whose death (like that of *Lucretia*) procured liberty to the Roman People.

Tho' the punishment of the Decemvirs was owned to be just; yet the Senate could not help being under some Consternation at the death and exile of so many members of their body. Neither was it possible to foresee what bounds the Tribunes, who were so closely united with the two Consuls, would put to their revenge: They seemed to be so many new Decemvirs, who were going to re-establish the late tyranny. *Duilius*, who was one of the Tribunes, but more moderate than the rest, dispelled the fears of the Senate by this publick declaration: "Enough has been done for the Security of our liberty, and the punishment of our enemies. During the remainder of this year, I will not suffer, that any person be prosecuted or imprisoned for past faults, which, being already expiated, ought therefore no longer to be remembered."

Year of
R O M E
CCCIV.
Bef. J. C.
Four
hundred
forty-
eight.
Sixtieth
Consul-
ship.
D. Hal. B.
11. p. 726.

C H A P. XXX.

§. I. *The Consuls take the field. Valerius defeats the Æqui and Volsci, and Horatius the Sabines. Nevertheless the Senate, dissatisfied with their too popular administration, refuse them a Triumph. They obtain it of the People.* §. II. *The Tribunes propose to get themselves perpetuated in the Tribuneship, and Horatius and Valerius in the Consulship. Duilius, one of the College, defeats both these projects. By his influence, joined with the Senate's, five new Tribunes are chosen; after which, finding that he cannot prevail with the Tribes to fill the other five places with new Magistrates, he dismisses the Assembly, referring the completion of the whole number of ten Tribunes to the five already elected. These five, among those they associate with them in their office, name two Patricians. TREBONIUS ASPER, one of the Plebeian Tribunes, shortly after gets a Law passed, forbidding the Tribunes the practice of Co-optation.* §. III. *In the Consulship*

Year of
R O M E
ccciv.
Ref. J. C.
Four hundred
forty-eight.

Sixtieth
Consul-
ship.

Consulate of T. Quinctius Capitolinus and Agrippa Furius the old dissensions are renewed; inasmuch that, though the Æqui and Volsci ravage the country to the very gates of Rome, the Tribunes oppose the necessary levies of troops to repulse them: But Quinctius gets the better of this opposition, by a speech he makes to the People. The Consuls rout the enemy. §. IV. The Roman People dishonour themselves by a judgment they give in a cause referred to their arbitration by the cities of Ardea and Aricia.

§. I. **A**ND now the main affair of the Republick was to revenge herself on her Enemies abroad, who had taken advantage of her late intestine divisions and anarchy to invade and pillage the Roman territory. Valerius was appointed to march against the united forces of the Æqui and Volsci, and Horatius against the Sabines. But, before the Consuls left Rome, the two last tables of Laws, which had not yet been established in due form, received the proper sanction, and, being engraven in brass, were, fixed up in the Forum.

Each Consul obtained a complete victory. Nevertheless the Senate being dissatisfied with these Magistrates, on account of their excessive popularity, and the little regard they had shewn for the honour or interest of their own order (even less than the Tribunes) decreed only one day's supplications (or solemn thanksgivings) in the name of both; but the People, of their own motion, prolonged the ceremony all the next day.

In the mean time, the Generals returned and appeared with their legions in the *Campus Martius*; and hither they summoned the Senators. Of this federal of the chief among them very much complained, as if the Senate was held in the midst of arms, with a view to keep it in awe. The Consuls hereupon removed the Assembly to the *Flaminian Meadows*, and there presented their petition for a TRIUMPH. Many of the *Fathers* stood up, and warmly opposed their request; but C. Claudius especially spoke with great bitterness on this occasion. Directing his speech to the Consuls,

D.Hal.B. "Did you not solemnly promise us, that the abdication of the Decemvirs
H.P.728. "should be followed by a general pardon? And yet no sooner had we
"obliged those Magistrates to depose themselves, but some of them were
"murdered, and others constrained to banish themselves from their
"country to save their lives. Appius, the head of the Claudian family,
"the chief of the Decemvirs, was strangled in prison, without the least
"form of justice, and without so much as being heard in the Assembly
"of the people, left, moved to pity by the tears and desolation of a family that has deserved so well of the Republick, they should have overlooked his faults. Our Consuls, the heads and protectors of the Senate, they, who ought to have exposed their very lives for the preservation of its dignity, have basely connived at the murder of the
"unfortunate Appius, and prosecuted no-body for it."

The Senate, exasperated still more against the Consuls by this discourse of C. Claudius, declared them unworthy of the honours they sued for, and they were given to understand that they ought to be well content if they escaped

escaped punishment. *Valerius* and *Horatius*, provoked at the intended ignominy, carried their complaints before the Assembly of the People, and there the Tribune *Leilius* demanded the TRIUMPH in their behalf. Many Senators went to the *Forum* to prevent the effects of this cabal, and, among them, *C. Claudius*. Though he had always been averse to the Government of the Decemvirs, yet he could never pardon the two Consuls for having delivered up his nephew to the fury of the Tribunes. With great vehemence he cried out to the People, that it was over the Senate, and not over the enemy that the Consuls desired to triumph; that they sought a reward for a particular favour done to the Tribune, not for any worthy deed, any real merit; that the Commons had no right to bestow the honours of the TRIUMPH; nor had ever before pretended to it; that this was a prerogative which belonged to the Senate only; and that the Republick would never be free and quiet till the two Orders in the State forbore to inroach upon the rights and privileges of each other. No regard was had to these remonstrances; the Tribes unanimously decreed the TRIUMPH to the Consuls; and that it was afterwards thought a legal one may be well concluded from its having a place in the Capitoline Fasti.

Year of
ROME
CCCIV.
Bef. J. C.
Fourhun-
dred forty-
eight.

Sixtieth
Consul-
ship.
Livy, B.
3. c. 63.

Livy,
ibid. and
D. Hal. B.
11. p. 729.
Liv. B. 3.
c. 64.

§. II. THE Tribunes did not stop here. The power they had in the Commonwealth, by their good understanding with the two Consuls, encouraged them to form the design of getting themselves continued in the Tribuneship after the expiration of their year: And, to keep their ambition in countenance, they moved likewise that *Valerius* and *Horatius* might be continued in the Consulship. They pretended that the Senate had entered into a plot against the rights and immunities of the People; and that the new Laws would be in great danger of being annulled, if, before they were solidly established, other Consuls of quite contrary dispositions to those of the present should be chosen to the Government.

Luckily for the Commonwealth, it had fallen to *Duilius* to *preside* in the *Comitia* (the same *Duilius*, who had put a stop to the prosecutions against the adherents of the Decemvirs.) He, foreseeing the mischievous consequences of the measure proposed by his Collegues, declared, that he would not admit them for candidates, nor make any account of votes given in favour of any one of them: And when, upon their pressing him either to leave the Assembly free, or to resign his Presidentship, a warm dispute arose, he sent for *Valerius* and *Horatius* to his Tribunal, and there asked them privately, *What they intended to do, at the next Comitia for creating Consuls?* They answered, *Create new Consuls.* The President, instantly advancing with them into the Assembly, put this Question to them before the multitude: *If the ROMAN PEOPLE, mindful of the part you acted in recovering the Publick Liberty, and mindful of your other services, both at home and abroad, should, in consideration of your merit, re-elect you to the Consulship, what resolution would you take?* Their answer to this imported the same intention which they had expressed in their answer to the first question. *Duilius* praised them highly for not following the example of the Decemvirs; and then held the *Comitia* for electing Tribunes. After five new ones had

Year of
R O M E
ccciv.
Ref. J. C.
Fourhundred
forty-eight.

Sixtieth
Consul-
ship.

Consulate of T. Quinctius Capitolinus and Agrippa Furius the old dissensions are renewed; inſomuch that, though the Æqui and Volſci revage the country to the very gates of Rome, the Tribunes oppoſe the neceſſary levies of troops to repulſe them: But Quinctius gets the better of this oppoſition, by a ſpeech he makes to the People. The Conſuls rout the enemy. §. IV. The Roman People diſhonour themſelves by a judgment they give in a cauſe referred to their arbitration by the cities of Ardea and Aricia.

§. I. **A**ND now the main affair of the Republick was to revenge herſelf on her Enemies abroad, who had taken advantage of her late inteſtine diviſions and anarchy to invade and pillage the Roman territory. Valerius was appointed to march againſt the united forces of the Æqui and Volſci, and Horatius againſt the Sabines. But, before the Conſuls left Rome, the two laſt tables of Laws, which had not yet been eſta-
Livy, B. 3. c. 57. bliſhed in due form, received the proper ſanction, and, being engraven in braſs, were, fixed up in the Forum.

Each Conſul obtained a complete victory. Nevertheleſs the Senate being diſſatisfied with theſe Magiſtrates, on account of their exceſſive popularity, and the little regard they had ſhewn for the honour or intereſt of their own
c. 60. & ſeq. D. Hal. B. 11. p. 727. order (even leſs than the Tribunes) decreed only one day's ſupplications (or ſolemn thankſgivings) in the name of both; but the People, of their own motion, prolonged the ceremony all the next day.

In the mean time, the Generals returned and appeared with their legions
Livy, B. 3. c. 63. in the Campus Martius; and hither they ſummoned the Senators. Of theſe ſeveral of the chief among them very much complained, as if the Senate was held in the miſt of arms, with a view to keep it in awe. The Conſuls hereupon removed the Aſſembly to the Flaminian Meadows, and there preſented their petition for a TRIUMPH. Many of the Fathers ſtood up, and warmly oppoſed their requeſt; but C. Claudius eſpecially ſpoke with great bitterneſs on this occaſion. Directing his ſpeech to the Conſuls,

D. Hal. B. 11. p. 728. " Did you not ſolemnly promiſe us, that the abdication of the Decemvirs ſhould be followed by a general pardon? And yet no ſooner had we obliged thoſe Magiſtrates to depoſe themſelves, but ſome of them were murdered, and others conſtrained to baniſh themſelves from their country to ſave their lives. Appius, the head of the Claudian family, the chief of the Decemvirs, was ſtrangled in priſon, without the leaſt form of juſtice, and without ſo much as being heard in the Aſſembly of the people, leſt, moved to pity by the tears and deſolation of a family that has deſerved ſo well of the Republick, they ſhould have overlooked his faults. Our Conſuls, the heads and protectors of the Senate, they, who ought to have expoſed their very lives for the preſervation of its dignity, have baſely connived at the murder of the unfortunate Appius, and proſecuted no-body for it."

The Senate, exaſperated ſtill more againſt the Conſuls by this diſcourſe of C. Claudius, declared them unworthy of the honours they ſued for, and they were given to underſtand that they ought to be well content if they eſcaped

escaped punishment. *Valerius* and *Horatius*, provoked at the intended ignominy, carried their complaints before the Assembly of the People, and there the Tribune *Leilius* demanded the TRIUMPH in their behalf. Many Senators went to the *Forum* to prevent the effects of this cabal, and, among them, *C. Claudius*. Though he had always been averse to the Government of the Decemvirs, yet he could never pardon the two Consuls for having delivered up his nephew to the fury of the Tribunes. With great vehemence he cried out to the People, that it was over the Senate, and not over the enemy that the Consuls desired to triumph; that they sought a reward for a particular favour done to the Tribune, not for any worthy deed, any real merit; that the Commons had no right to bestow the honours of the TRIUMPH; nor had ever before pretended to it; that this was a prerogative which belonged to the Senate only; and that the Republick would never be free and quiet till the two Orders in the State forbore to inroach upon the rights and privileges of each other. No regard was had to these remonstrances; the Tribes unanimously decreed the TRIUMPH to the Consuls; and that it was afterwards thought a legal one may be well concluded from its having a place in the Capitoline Fasti.

Year of
R O M E.
CCCIV.
Bef. J. C.
Fourhundred
forty-eight.
Sixtieth
Consul-
ship.
Livy, B.
3. c. 63.

Livy,
ibid. and
D. Hal. B.
11. p. 729,
Liv. B. 3.
c. 64.

§. II. THE Tribunes did not stop here. The power they had in the Commonwealth, by their good understanding with the two Consuls, encouraged them to form the design of getting themselves continued in the Tribuneship after the expiration of their year: And, to keep their ambition in countenance, they moved likewise that *Valerius* and *Horatius* might be continued in the Consulship. They pretended that the Senate had entered into a plot against the rights and immunities of the People; and that the new Laws would be in great danger of being annulled, if, before they were solidly established, other Consuls of quite contrary dispositions to those of the present should be chosen to the Government.

Luckily for the Commonwealth, it had fallen to *Duilius* to *preside* in the *Comitia* (the same *Duilius*, who had put a stop to the prosecutions against the adherents of the Decemvirs.) He, foreseeing the mischievous consequences of the measure proposed by his Colleagues, declared, that he would not admit them for candidates, nor make any account of votes given in favour of any one of them: And when, upon their pressing him either to leave the Assembly free, or to resign his Presidentship, a warm dispute arose, he sent for *Valerius* and *Horatius* to his Tribunal, and there asked them privately, *What they intended to do, at the next Comitia for creating Consuls?* They answered, *Create new Consuls*. The President, instantly advancing with them into the Assembly, put this Question to them before the multitude: *If the ROMAN PEOPLE, mindful of the part you acted in recovering the Publick Liberty, and mindful of your other services, both at home and abroad, should, in consideration of your merit, re-elect you to the Consulship, what resolution would you take?* Their answer to this imported the same intention which they had expressed in their answer to the first question. *Duilius* praised them highly for not following the example of the Decemvirs; and then held the *Comitia* for electing Tribunes. After five new ones had

Year of ROM E CCCIV. Bef. J. C. Four hundred forty-eight. Sixtieth Consulship.

been chosen, the President perceiving, that the other candidates would not be able to engage a majority for them because of the busy opposition of his nine Collegues, dismissed the Assembly. Nor did he appoint another day for the meeting of the Tribes to complete the number of *ten* Tribunes. He alledged, that he had satisfied the Law; which no where required, that the whole number of Tribunes should be chosen at one and the same time; but, on the contrary, had expressly directed, *That, in case the whole number of ten Tribunes were not chosen on the day of election, those who were chosen should themselves nominate persons to fill the vacant places.*

It was in this manner that *Duilius*, to the satisfaction of both Senate and Commons, defeated the ambitious attempt of his Collegues; and, when he had reminded the last, that there could not be *fifteen* Tribunes in the Republick, he laid down his magistracy.

Livy, B. 3. c. 65. The five new Tribunes presently discovered, that they were under the influence of the Senate: For among those they named to be their Collegues in the Tribuneship (which naming was then called *Co-optation*) were *Sp. Tarpeius* and *A. Æternius*, old Senators, and who had both possessed the consular dignity in the year 299.

Year of ROM E CCCV. Bef. J. C. Four hundred forty-seven. Sixty first Consulship. * Crabbed.

At the election of Consuls for the year 305, the Fasces were transferred from *Valerius* and *Horatius* to *Lartius Herminius* and *T. Virginus*. These Magistrates being no zealots for either party, their Government was intirely pacifick. But *L. Trebonius*, one of the Tribunes, extremely angry at the management of *Duilius*, (in the late election of Tribunes) which had opened a way for *Patricians* into that College, made heavy complaints of it to the Commons. He gave himself intirely up, during the whole year, to cross the Senate in every thing, whence he acquired the Surname of *Asper*. And, in order to prevent, for the future, any Tribunes (gained over by the Senate) from doing as *Duilius* had done, he proposed a Law, which he got passed, and which from his name was called *Lex Trebonia*, by which it was ordained, *That whoever should hereafter hold the Comitia for electing Tribunes of the Commons, should not dissolve the Assembly till the number of TEN Tribunes was completed by the votes of the Tribes.* This Law put an end to the practice of *Co-optation*.

Year of ROM E CCCVI. Bef. J. C. Four hundred forty-six. Sixty second Consulship.

§. III. *M. GEGANIUS* and *C. Icilius* succeeded *Herminius* and *Virginus* in the Consulate. The Plebeians began now to complain, and not without cause, that the young *Patricians* treated them injuriously; and, tho' the graver and wiser part of the Senate did not approve of the haughty and outrageous behaviour of those youths, yet they would not abandon them to the fury of the Tribunes. They thought it better (says *Livy*) if the bounds of equity must be transgressed, and one party must over-bear the other, that their own people should have the ascendant: So difficult a matter is it to act with moderation in the maintenance of liberty, every one, under pretence of *levelling*, exalting himself in proportion as he lowers another. While men are endeavouring to get free from the fear of others, they make themselves be feared; to avoid oppression, they oppress; as if there was a necessity that we must either *do* injustice, or *suffer* it.

The Consuls found means to quiet the cabals of the Tribunes on this occasion, without employing invectives against them, or suffering the Majesty of the Senate to be offended. There was neither contention at home, nor war abroad, when they resigned the fasces to * *T. Quinctius Capitolinus* and *Agrippa Furius*. But this calm did not last long. The young Nobles could not forbear insulting the *Plebeians*, nor these submit to be insulted. The aggressors were cited to appear before the People; fierce contentions and scuffles always followed. The report of these new dissensions was to the *Æqui* and *Volsci* as the signal for taking arms. They assembled their forces, fell first upon the *Latine* territory, and, meeting with no resistance, advanced so near to *Rome*, as to drive off the cattle that were grazing before the *Æsquiline* gate. The Consuls would have raised troops to repulse these invaders, but the Commons, at the instigation of their Tribunes, refused to lift themselves. Hereupon the Consul *Quintilius*, a man illustrious by several victories, respected for the purity of his manners, and the wisdom of his counsels, having convened a general Assembly of the People, spoke to them to this effect:

“ Though I am not conscious, *O Romans*, of any crime by me committed, it is yet with the utmost shame and confusion that I appear in your Assembly. You have seen it—Posterity will know it—In the fourth Consulship of *Titus Quinctius*, the *Æqui* and *Volsci* (scarce a match for the *Hernici* alone) came in arms to the very gates of *Rome*, and went away again unchastised! The course of our manners, indeed, and the state of our Affairs have long been such, that I had no reason to promise myself much good; but could I have imagined, that so great an ignominy would have befallen me this year, I would by death or banishment (if all other means had failed) have avoided the station where I now am. What? Might *Rome* then have been taken, if those men who were at our gates had not wanted courage for the attempt?—*Rome* taken, whilst I was Consul!—Of honours I had sufficient—Of life enough—more than enough—Three Consulships—I should then have died.

“ But who are they whom our dastardly enemies thus despise? the CONSULS? or you, *Romans*? if we are criminal, depose us, punish us yet more severely. If you are in fault—may neither Gods nor men punish your faults! only may you repent.

“ No, *Romans*, the confidence of our enemies is not owing to their courage, or to their belief of your cowardice: They have been too often vanquished not to know both themselves and you. Discord, discord is the ruin of this city. The endless disputes between the Senate and the Commons are the sole cause of our misfortunes. While we will set no bounds to our domination, nor you to your liberty; while you impatiently endure *Patrician* Magistrates, and we *Plebeians*, our enemies take heart, grow elated and presumptuous.

“ In the name of the immortal Gods, what is it, *Romans*, you would have? You desired Tribunes: For the sake of peace we granted them.

Year of
R O M E
CCCXII.
Bef. J. C.
Four hundred forty-five.
Sixty-third
Consulship.
4th time
Consul.
Livy, B. 3. c. 66.
c. 67, 68.

Year of ROME CCCVII. Bcf. J. C. Four hundred forty-five. Sixty-third Consulship.

" You were eager to have Decemvirs : We consented to their creation.
 " You grew weary of these Decemvirs : We obliged them to abdicate.
 " Your hatred pursued them when reduced to be private men ; and we
 " suffered you to put to death or banish *Patricians* of the first rank in the
 " Republick. You insisted upon the restoration of the Tribuneship : We
 " yielded. We quietly saw Consuls of your own faction elected. You
 " have the protection of your Tribunes, and the privilege of *appeal* :
 " the *Patricians* are subjected to the decrees of the *Commons* : under pre-
 " tence of equal and impartial laws, you have invaded our rights ; and
 " we have suffered it, and we still suffer it. When shall we see an end of
 " discord ? When shall we have one interest, and one common country ?
 " Victorious and triumphant, you shew less temper than we under our
 " defeat. When you are to contend with *us*, you can seize the *Apentine*
 " hill, you can possess yourselves of the *Mons Sacer*. The enemy is at our
 " gates, the *Æsquiline* is near being taken, and no-body stirs to hinder it.
 " But against *us* you are valiant, against *us* you can arm with all dili-
 " gence. Come on then, besiege the Senate-House, make a camp of
 " the *Forum*, fill the jails with our prime Nobles ; and, when you have
 " atchieved these glorious exploits, then at least sally out at the *Æsquiline*
 " gate with the same fierce spirits against the enemy. Does your resolu-
 " tion fail you for this ? Go then, and behold from our walls your lands
 " ravaged, your houses plundered and in flames, the whole country laid
 " waste with fire and sword. Have you any thing here to repair these
 " damages ? Will the Tribunes make up your losses to you ? They will
 " give you words as many as you please ; bring impeachments in abun-
 " dant against the chief men in the State ; heap laws upon laws ; Assem-
 " blies you shall have without end : But will any of you return the richer
 " from those Assemblies ? You imagine, perhaps, that those flatterers,
 " those popular men, who will neither let you live in quiet at home, nor
 " take arms against our foreign enemies, are animated by a zeal for *your*
 " interests. It is honour, it is profit to *themselves* they seek. When do-
 " mestic peace and unanimity reign, they find, they have no business,
 " are of no consideration ; and they had rather be leaders in tumults and
 " seditions, than not bustle about, and make a figure. *Romans*, beware
 " of such friends ; undeceive yourselves. Do but resume your former
 " spirit and manners, and there is no punishment to which I will not
 " submit, if I do not, in a few days, disperse and put to flight the in-
 " vaders of our country, the pillagers of our lands. This terror of war
 " (with which you seem to be so grievously struck) shall quickly be re-
 " moved from *Rome* to their own cities."

Livy, B. 3. c. 69. Never, says *Livy*, were the Commons more pleased with the flattering speeches of a Tribune, than they were with the reproachful one of this generous Consul. The Senate was no less charmed with his conduct ; the wisest and most eminent men of that body declared, that other Consuls had either betrayed the dignity and rights of the Senate, to win favour with the Multitude, or, by the rough imprudent measures they had taken to keep

keep them under, had only exasperated them to a higher pitch : But that *Quintius*, without forgetting the honour of the Senate, had wisely suited his discourse to the times, and had shewn that he had nothing at heart but the union of the two orders, and the majesty of the *Roman* name.

Year of
R O M E
CCCVII.
Ref. J. C.
Four hun-
dred for-
ty-five.

Consuls and Tribunes, Senate and People, all concurred unanimously in taking arms. The contention now was, who should appear most forward, so that the levies were quickly made ; each cohort chose its Centurions, and had two Senators placed at the head of it ; and all things were done with so much expedition, that the army, that very day, marched ten miles on its way. The next, the Consuls came in sight of the enemy, and the day following gave them battle. The *Æqui* and *Volsci* fought with great courage and resolution, but victory declared for the *Romans*. The first advantage gained was by the *Roman* cavalry under *S. Sulpitius*, one of the Consuls Lieutenants. They put the enemies horse to the rout, and then, falling upon the main body of their infantry, both terrified and disordered it. *Quintius* (who commanded the right wing of the *Romans*) soon after forced the *Volsci*, who faced him, to give ground. But *Agrippa Furius* in the left wing met with a more obstinate resistance from the *Æqui*. Impatient of being less successful than the other Generals, he snatched some of the ensigns from the officers who bore them, and threw them into the midst of the enemies battalions. By this he turned the scale in his favour. His soldiers, by the vigorous effort they made to recover those ensigns, rendered the victory complete on the side of the *Romans*. The Consuls instantly marched to the enemy's camp, entered it without opposition, and found there, besides other effects which the *Æqui* and *Volsci* had carried off, out of the territory of *Rome*, a very rich booty.

Sixty-
third
Consul-
ship.
Livy, B.
3 c 70.

Livy remarks it, as a thing extraordinary, that the Consuls, at their return, did not demand a triumph, nor the Senate make them the offer of one. He conjectures, that *Quintius* and *Furius* were ashamed to ask, in recompence of one victory, an honour which the Fathers had refused to *Valerius* and *Horatius*, for the reward of two ; lest, if they should obtain their request, it might be thought that more regard was shewed to persons than to merit.

§. IV. THIS would have been a glorious year for the Republick if the *Roman* People had not dishonoured themselves by their manner of deciding a cause, at this time, referred to their arbitration. It was a dispute between the inhabitants of *Ardea* * and those of *Aricia*, concerning a large tract of land, to which each of those cities laid claim. The tribes were assembled, the witnesses were heard, and the votes were just going to be taken, when one *Scaptius*, a very old man of the meanest of the People, (having obtained, by the interposition of the Tribunes, permission to speak, after it had been refused him by the Consuls) pretended to have known the district in question above forty-seven years ; that it formerly belonged to *Corioli*, and consequently now to the *Romans*, who, he said, ought therefore to make no scruple of seizing it. This motion (though, according

c. 71, 72.

* In Latium.

Year of R O M E according to *Livy*, the man spoke truth) gave the Consuls a great deal of concern, when they found it favourably listened to. They sent for the chief men of the Senate, and, jointly with them, used their utmost endeavours to dissuade the People from taking a step, which must cast a blemish on the Roman probity. But they strove in vain; the People adjudged the territory to themselves.

Sixty-third Consulship.

C H A P. XXXI.

§. I. *The Commons of Rome (in the Consulship of M. Genucius and C. Curtius) demand that Plebeians may be admitted into the Consulship, and that the law prohibiting Patricians and Plebeians from inter-marrying may be repealed.* §. II. *T. Quinctius and the majority of the Senate think it better to comply than to come to a rupture with the People, which otherwise seems unavoidable. Claudius, to hinder the debasing of the Consulship, makes this new proposal, that, instead of Consuls, a certain number of MILITARY TRIBUNES be chosen partly out of the Senate, and partly from among the Commons; and that these new Magistrates be invested with Consular power. This project is approved by Senate and People; and six MILITARY TRIBUNES (three of each order) are to take the place of two Consuls.* §. III. *But, when the day of election comes, the People will not give their voices to any but Patricians; and only three Military Tribunes are elected. These are obliged soon after to abdicate on account of some defect in their inauguration; and two Consuls are chosen to govern the Republick the remainder of the year.* §. IV. *Under the succeeding administration of T. Quinctius Capitolinus (a fifth time Consul) and M. Geganius (a second time) the CENSORSHIP is established.*

§. I. **B**Y the late victory so suddenly obtained over the *Æqui* and *Volsci*, the Commons became sensible of their own strength, and the need which the Senate had of them. This made them carry their pretensions farther than ever. They grew every day more untractable and more enterprising. *C. Canuleius*, one of the Tribunes, proposed that, by a decree of the People, *The Law* (in the twelve tables) which forbade *Patricians* to inter-marry with *Plebeians*, should be repealed: And, soon after, nine of the Tribunes moved, that a new law should be made, qualifying *Plebeians* to stand for the Consulship. *M. Genucius* and *Caius Curtius*, the present Consuls, thought to defeat these projects by leading the Citizens into the field. The *Ardeates* had revolted on account of the unjust proceeding of the People of *Rome* in their affair, and it was said, that the *Veientes* had begun hostilities. There was a rumour also that the *Æqui*

* According to *Tacitus*, (*Annal.* B. 11. c. 22.) the People obtained this year the right of naming the *Quæstors*, a prerogative which the Consuls had hitherto enjoyed. *Plutarch* attributes the choice of the *Quæstors* to the People, from *Poplicola's* time.

Year of
R O M E
CCCVIII.
Bef. J. C.
Four hun-
dred for-
ty-four.

Sixty-
fourth
Consul-
ship.

Livy B. 4.
c. 2.

and *Volsci* were preparing to renew the war. Countenanced by these alarms, the Senate ordered troops to be raised with the same diligence as the last year. But then *Canuleius* in the most peremptory manner protested, that, while he had breath, no levies should be made, unless the laws proposed by him and his Collegues were first received. This said, he straight went out of the Senate-House and convened the People. The Consuls full of indignation inveighed in the sharpest terms against the Tribunes, whose madness, they said, was no longer to be endured; that they raised a war within the city, more dangerous than that without it; that no domestick peace could be maintained in a State which had Senators and Tribunes; that the *Conscript Fathers* must absolutely resolve either to resign their own authority, or abolish that *Plebeian* Magistracy. "What a detestable project is this of *C. Canuleius*? He is for mingling, by shameful marriages, the blood of the Nobles with that of the Commons. If he brings this about, those who are born of such marriages will hardly know, whether they belong to the *Patrician* or *Plebeian* Body, and the Auspices, publick and private, will be confounded. And as if it was not enough to destroy all distinction of birth, and to break thro' all rights both divine and human, the Collegues of *Canuleius*, those other disturbers of the publick quiet, have the boldness to lift their eyes to the very Consulship itself. We are now just on the point of seeing that great dignity fall a prey to the *Canuleii* and the *Idilii*. But let those new men be assured, that the Gods, protectors of this Empire, will never suffer it; and that we ourselves will rather die a thousand deaths, than bear so great an infamy."

While the Consuls were thus exasperating the Senate against the Tribunes, the Tribunes were exciting the anger of the Plebeians against the Consuls. These left the Senate-House, and repaired to the Forum. "What an insult upon us! cried *Canuleius*. If we are not so rich as the *Patricians*, are we not citizens of *Rome* as well as they? Inhabitants of the same country? Members of the same community? The nations bordering upon *Rome* and even strangers more remote are admitted not only to marriages with us, but to what is of much greater importance, the freedom of the city. Are we, because we are Commoners, to be worse treated than strangers? And when we demand that the People may be free to bestow their offices and dignities on whom they please, do we ask any thing unreasonable or new? Any thing more than a restitution of the People's natural right? What occasion then for all this uproar, as if the universe was falling to ruin? (They were just going to lay violent hands upon me in the Senate-House.) What? must this Empire then be unavoidably overturned, must *Rome* of necessity sink at once, if a *Plebeian*, worthy of the office, should be raised to the Consulship? The *Patricians*, I am persuaded, if they could, would deprive you of the common light. It certainly offends them to see that you breathe, that you speak, that you have the shapes of men.—Nay, but to make a Commoner a Consul would be, say they, a most enormous thing.—*Numa Pompilius*, however, without being

Year of
R O M E
cccviii.
Bef. J. C.
Four hun-
dred for-
ty-four.

Sixty-
fourth
Conful-
ship.

“ being ſo much as a *Roman* citizen, was made King of *Rome*. The elder
“ *Tarquin*, by birth not even an *Italian*, was nevertheleſs placed upon the
“ throne. *Servius Tullius*, the ſon of a captive woman, (no-body knows
“ who his father was) obtained the Kingdom as the reward of his wiſdom
“ and virtue. In thoſe days no man in whom virtue ſhined conſpicuous
“ was rejected or deſpiſed on account of his birth and deſcent. And did
“ the ſtate proſper the leſs for that? Were not thoſe ſtrangers the very
“ beſt of all our Kings? And, ſuppoſing now that a *Plebeian* ſhould have
“ their talents and merit, muſt not he be ſuffered to govern us becauſe he
“ is a *Plebeian*? Shall we rather have Conſuls reſembling the *Patrician*
“ Decemvirs, the moſt deteſtable of mortals, than ſuch as reſemble the
“ very beſt of our Kings, who were *New Men*?

“ But we find that, upon the abolition of the regal power, no Com-
“ moner was choſen to the Conſulate. And what then? Before *Numa*’s
“ time there were no Pontifices in *Rome*. Before *Servius Tullius*’s days
“ there was no *Cenſus*, no diviſion of the People into Claſſes and Centuries.
“ Who ever heard of Conſuls before the expulſion of *Tarquin the Proud*?
“ Dictators, we all know, are of modern invention; and ſo are the offi-
“ ces of Tribunes, *Ædiles*, *Quæſtors*. Within theſe ten years we have
“ made Decemvirs, and we have unmade them. Is nothing to be done
“ but what has been done before? That very Law forbidding marriages
“ of *Patricians* with *Plebeians*, is not that a new thing? Was there any
“ ſuch Law before the Decemvirs enacted it? and a moſt ſhameful one it
“ is in a free State.

“ Such marriages, it ſeems, will taint the pure blood of the Nobility.
“ Why, if they think ſo, let them take care to match their ſiſters and
“ daughters with men of their own fort. No *Plebeian* will do violence
“ to the daughter of a *Patrician*. Thoſe are exploits for our prime No-
“ bles. There is no need to fear that we ſhall force any body into a con-
“ tract of marriage. But to make an expreſs Law prohibiting marriages
“ of *Patricians* and *Plebeians*, what is this, but to ſhew the utmoſt con-
“ tempt of us, and to declare one part of the community to be impure
“ and unclean? Why don’t they lay their wife heads together to hinder
“ rich folks from matching with poor?

“ They talk to us of the confuſion there will be of families, if this
“ Statute ſhall be repealed. I wonder they don’t make a Law againſt
“ a Commoner’s living near a Nobleman, or going the ſame road that he
“ is going, or being preſent at the ſame feaſt, or appearing in the ſame
“ market-place. They might as well pretend, that theſe things make
“ confuſion of families, as that inter-marriages will do it. Does not every
“ body know that the children will be ranked according to the quality
“ of the father, let him be *Patrician* or *Plebeian*? In ſhort, it is manifeſt
“ enough, that we have nothing in view but to be treated as men and
“ citizens; nor can they who oppoſe our demand have any motive to do
“ it but the love of domineering.

"I would fain know of you Consuls and *Patricians*, Is the sovereign power in the People of *Rome* or in you? I hope you will allow, that the People can at their pleasure either make a Law, or repeal one. And will you then, as soon as any Law is proposed to them, pretend to lift them immediately for the war, and hinder them from giving their suffrages by leading them into the field?"

"Hear me, Consuls: whether the news of the war you talk of be true, or whether it be only a false rumour spread abroad for nothing but a colour to send the People out of the City; I declare, as Tribune, that this People, who have already so often spilt their blood in our country's cause, are again ready to arm for its defence and its glory, if they may be restored to their natural rights, and you will no longer treat us like strangers in our own country. But if you account us unworthy of your alliance by inter-marriages, if you will not suffer the entrance to the chief offices in the State to be open to all persons of merit indifferently, but will confine your choice of Magistrates to the Senate alone, Talk of wars as much as ever you please; paint in your ordinary discourses the league and power of our enemies ten times more dreadful than you do now; I declare that this People, whom you so much despise, and to whom you are nevertheless indebted for all your victories, shall never more inlist themselves; not a man of them shall take arms, not a man of them shall expose his life for imperious Lords, with whom he can neither share the dignities of the state, nor in private life have any alliance by marriage."

After long speeches made on both sides, the Consuls and Tribunes fell to altercation. *Canuleius* asked the Consuls, what reason could be assigned, why a *Plebeian* might not attain to the Consulship? It was answered, (perhaps with truth, says *Livy*, but to little purpose, on the present occasion) that no *Plebeian* had a right to the auspices; and that the *Decemvirs* had prohibited marriages between persons of different Orders, that, the auspices being taken only by *Patricians*, whose blood was pure and unmixed, there might be no prophanation of that religious Rite." No words can express the indignation of the people at this answer: To hear that they were excluded from taking the auspices as men hateful to the Gods on account of their birth.

The fury of the multitude rose to such a height, that the Senate found it necessary to let *Canuleius's* law concerning marriages pass. They hoped that this concession would induce the other Tribunes to give over intirely the pursuit of the law relating to the Consulship, or least to suspend it till the conclusion of the war: But their hope proved in vain: Those Tribunes, tho' the alarm from abroad daily increased, still oppose the matters, and pushed their point with the same zeal as before: Nay, they all publicly swore by their Faith, (the most solemn oath then in use among the *Romans*) that they would not be diverted from their purpose by any persuasion whatsoever.

Year of
R O M E
cccviii.
Bef. J. C.
Fourhun-
dred for-
ty four.

Sixty-
fourth
Consul-
ship.

Livy, B.
4. c. 6.

D. Hal. B.
11. p. 731.

Year of
R O M E
cccviii.
Ref. J. C.
Four
hundred
forty-
four.

Sixty-
fourth
Consul-
ship.
Livy, B. 4.
c. 6.

§. II. THESE violent proceedings greatly distressed the Consuls. They saw plainly that they must yield the victory either to the Commons at home, or to the enemy abroad. They held private counsels at their own houses, with the Senators of their party. *C. Claudius*, who had received from his ancestors an hereditary hatred, as it were, to the faction of the People, spoke first, and gave it as his opinion, that the Senate should rather have recourse to arms, than yield the dignity of the Consulship to the People; and that without distinction they ought to treat as publick enemies all persons, let them be private men or Magistrates, who should attempt to change the form of the Government. But the two *Quintii*, who abhorred all thoughts of shedding *Roman* blood, put the Senate in mind of the solemn engagement they had entered into with the *Commons* to hold the persons of the Tribunes sacred and inviolable, and they advised them rather to yield up part of their prerogatives, than run the hazard of a civil war.

All the rest of the assembly having declared themselves of this opinion, *C. Claudius* rose up again: "I submit; the sentiment of so many wise and worthy men is not to be contradicted: But, since you think it proper to admit *Plebeians* into the Government, let us endeavour to satisfy this restless People, without debasing the Majesty of the Consulship. And, in order to this, I propose, that, instead of Consuls, we elect such a number of *Military Tribunes* as shall be agreed upon, to be chosen one half out of the Senate, the other from among the *Plebeians*, and that these Magistrates be invested with Consular power. The People by this means will be satisfied; and the Consulate in more favourable times may resume its ancient Splendor and Majesty." Great praises were given to *Claudius*, and the whole Assembly agreed to the proposal. Then addressing his speech to *M. Genucius*, first Consul: "In order to succeed in this design, I would advise you to convene the Senate, send for the Tribunes of the People, and, when the Assembly is formed, declare, that you invite all who love their country, to speak their minds freely with relation to the new laws demanded by the People. Then gather the opinions; and, instead of beginning with *T. Quintius*, me, or any other of the ancient Senators, begin with *Valerius* and *Horatius*. When these have delivered their sentiments, then ask ours. For my part I shall declare my thoughts freely, and oppose the pretensions of the Tribunes with all my might, as indeed I think it my duty to do. But, if you are willing to have *Military Tribunes*, let your brother *T. Genucius* make the motion. He is the fittest Person to make it; and I can assure you, it will not be in the least suspected if it comes from him."

All approved of this scheme. The Consuls, soon after convened the Senate; and when they had recommended concord and moderation to the Assembly, invited the Tribunes to give their reasons in behalf of the new laws. *Canuleius*, instead of speaking to the matter in question, ran wholly into bitter complaints against the two Consuls for holding secret Assemblies, from which, *he said*, all the Senators who were friends

to the People had been excluded, and particularly *Valerius* and *Horatius*, than whom there were not wiser men, nor men of more merit in the Republick.

The Consul *Genucius* replied, that they had intleed assembled some of the older Senators, but only to consult with them, whether it would be better instantly to propose the new laws to the Senate, or to defer it till the end of the campaign: that, if they did not invite *Valerius* and *Horatius* to that council, it was purely to avoid making the People suspect that these Senators had changed their party. He added, "And to convince you, that my Colleague and I are impartial, we shall give you this proof of it. Though it be the custom for the Consuls to ask the opinions of the oldest Senators first, yet, as you do not believe them to be friends to the People, we will now change that method, and begin with *Valerius* and *Horatius*." Then, addressing himself to *Valerius*, he invited him to declare his opinion.

Valerius made a long preamble, expatiating upon his own services to the Republick, and upon those of his ancestors. He then turned his panegyrick upon the People, and recounted their merit. He added, that no city could be called free, where the citizens were not all upon an equality with regard to rights and privileges; and that he saw no reason why the *Plebeians* should be excluded from the Consulate. However, he at the same time declared, that he thought the consideration of this affair ought to be deferred to the end of the war; and he exhorted the Tribunes of the People to desist from their opposition to the levies which the Consuls demanded. On the other hand, he exhorted the Consuls to make it their first business, as soon as the war should be happily concluded, to procure a *Senatus-consultum*, for empowering the Assembly of the People to decide upon the affair in question; and he was for having the two parties come immediately to a formal written agreement to do as he advised. *Horatius*, whose opinion was asked, next spoke much to the same effect.

This advice raised a murmur in the Assembly, for it was not thoroughly liked either by those who were against the law, or by those who were for it. The first were pleased with the motion for postponing the affair, but they could not digest the proposal of resuming it after the end of the war. On the other hand, the favourers of the People, tho' glad to find that those two eminent Senators held the law to be reasonable, were yet uneasy at the thoughts of any delay in passing the *Senatus-consultum*.

The Consuls then asked the opinion of *C. Claudius*, who was looked upon as the main pillar and support of the *Patrician* faction. He pronounced with great spirit a studied harangue against these new pretensions of the People. He enumerated all their deviations from the excellent manners and institutions of their forefathers, and concluded against suffering the new proposal to be brought into deliberation, either now, or at any time hereafter.

Year of
R O M E
CCCVIII.
Bef. J. C.
Four hun-
dred
forty-
four.
Sixty-
fourth
Consul-
ship.
D. Hal. 8.
11. p. 734.

Year of *Claudius's* speech did not fail to produce a commotion in the Assembly.
 R O M E The Consul *M. Genucius*, to put a stop to it, called upon his brother *Titus*
 CCCVII. to give his opinion. This Senator declared, that it was with the greatest
 Bef. J. C. concern he beheld the Commonwealth afflicted with two scourges at the
 Four hun- same time, a foreign war, and domestick feuds; that he found there was no
 dred avoiding one of two evils, the strengthening of the enemy by a continu-
 forty- ation of the intestine broils in the Republick, or the hurting of the con-
 four. stitution by new concessions to the People: That, the case being so, he
 Sixty- was of opinion rather to yield up part of the prerogative of the Nobility
 fourth to the *Plebeians*, than abandon the territory of *Rome* to be ravaged by
 Consul. strangers. He added, "But, since the ancient Senators are so averse to
 ship. "the thoughts of seeing the Consular dignity in the hands of *Plebeians*,
 "a medium may perhaps be found to satisfy both parties. What, if we
 "should suppress for a time that dignity, and create, in the room of two
 "Consuls, six MILITARY TRIBUNES, who shall have the same functions
 "and the same authority? Let three of the number be *Patricians*, and
 "the other three be *Plebeians*. Next year the Senate and People may
 "decide, in a general Assembly, whether they will restore the Consulship,
 "or continue to elect Military Tribunes."

D. Hal. B. This proposal (of which *Claudius* was the true author) was approved by
 11. p. 736. plurality of voices. *T. Genucius* had the praises of both the Senate and
 the People for his happy thought; the Senators were glad to have excluded
 the *Plebeians* from a dignity which they hoped to re-establish with all its
 prerogatives in more favourable times; and the People, without disturb-
 ing themselves about an empty Name, could not contain their joy at see-
 ing themselves at length admitted to share in the government of the
 Commonwealth.

Livy, B. §. III. SOME days after, an Assembly was held for the election of
 4. c. 6. these new Magistrates. Several of the chief *Plebeians*, and especially
 D. Hal. those who had been Tribunes, appeared in the *Forum* clothed in white,
 ib. and solicited the People for their voices; but the multitude, satisfied with
 having it in their power to raise *Plebeians* to the Government, would
 give their votes to none but *Patricians*; so that only three Military Tri-
 bunes were chosen, *A. Sempronius Atratinus*, *L. Attilius*, and *T. Cecilius*, or
Clelius *. *Livy* adds, "Where shall we now find, in any one man, that
 "moderation, that equity, that greatness of soul, which were then con-
 "spicuous in a whole People?" *Dionysius*, on the contrary, imputes their
 "behaviour, on this occasion, to nothing but that levity so natural to the
 "multitude, in all ages and nations."

But these new Magistrates were obliged to abdicate within three months
 after their election, upon account that *C. Curtius*, who had presided
 at it, gave notice, that in taking the *Auspices* (a ceremony which al-
 ways preceded the elections of the curule Magistrates) the due forms

* *Livy* makes the Military Tribunes to take place in the year 310. The Fast. Cap.
 in 309.

had not been strictly observed. The *Romans* were very scrupulous in the least circumstances that concerned their religion; but perhaps the *Patricians* created this scruple only with a view to restore the Consular Office. The Military Tribunes had no sooner resigned their authority, but an *Inter-rex* was named, that the Commonwealth might not remain without a head. The main question now was, whether Consuls or Military Tribunes should be appointed to the Government? The Senators failed not to declare for the former; the People at first for the latter: But, as they knew themselves resolved to chuse none but *Patrician* Governors, they soon grew indifferent; and the Tribunes themselves chose rather to proceed to an election where they could not be candidates, than to one where they were sure to suffer the disgrace of being rejected as unworthy. And thus, by the joint consent of the Senate and People, the *Inter-rex* appointed Consuls, for the remaining part of the year. *L. Papirius Mugillanus*, and *L. Sempronius Atratinus*, brother to one of these *Patricians* who had abdicated the Military Tribuneship, were the persons named.

Year of
R O M E
CCCIX.
Bef. J. C.
Fourhun-
died for-
ty-three.

First Mi-
litary
Tribunes.

Livy, B.
the 4. c. 7 &
8.

Nothing considerable happened during the Government of the late Military Tribunes, or during the present Consulship. The union between the two orders in the Republick kept the neighbouring powers quiet; and even the *Ardeates* submitted, and renewed their alliance with *Rome*. The Senate gave them good words concerning the restitution of their lands in due time; but they could not reverse a decree of the People.

§. IV. IN the following Consulate of *M. Geganius* and * *T. Quinctius*, the CENSORSHIP was erected. This new dignity, which at first seemed of but small importance, became, in time, by the power annexed to it, the pinnacle of honour, and the most formidable Magistracy in the Republick.

Year of
R O M E
CCX.
Bef. J. C.
Fourhun-
dred for-
ty-two.

As the spirit of conquest was what chiefly prevailed in this nation, King *Servius Tullius*, in order to have a sure supply of men and money, decreed, as has been already shewn, that every five years an enumeration should be made of all the *Roman* citizens, with an exact valuation of every man's wealth. The Prince or Magistrate by this means could know immediately how many inhabitants *Rome* had, that were capable of bearing arms, and what contributions might be raised for the expence of war.

Sixty-
sixth
Consul-
ship.
* 5th time
Consul.

But the Consuls (almost continually employed in foreign wars) not having had leisure in more than seventeen years to make that enumeration which was called the *Census*, it was proposed, for the ease of the Consuls, that two Magistrates should be created, who, with the title of CENSORS, should every five years take that general review of the whole *Roman* People.

* *D. Hal.* says, that the Assembly of the People chose these Consuls. And *Livy* the *Inter-rex*, than that the *Inter rex* presided in the Assembly. *Vid. sup.* p. 27.
means no more, by imputing the choice to

Year of
R O M E
CCCX.
Bet. J. C.
Four hun-
dred for-
ty-two.
Sixty-
fifth
Consul-
ship.

The Tribunes, though always upon their guard against every thing offered by the Senate, did not oppose the establishment of this new Magistracy. Nay, they did not so much as demand that the *Plebeians* should be allowed a share in it. The reason of this might be, that they thought the powers and prerogatives of the Censorship would be inconsiderable, or that the *Commons* gained a sufficient advantage by the diminution that was made of the Consular authority, the constant object of their envy and emulation.

Papirius and *Sempronius*, the Consuls of the preceding year, were the first Censors; and this dignity was unanimously conferred upon them, to make them amends for the short duration of their Consulship, which they did not enter upon till after the abdication of the *Military Tribunes*.

While the Consuls performed the Censorial functions, their whole business in that article had been to take an exact account of the names, estates, ages, and conditions of all the masters of families, and the names and ages of their children and slaves. But, as men generally study how to enlarge their own authority, the Censorship was no sooner dismembered from the Consulship, and made a distinct Magistracy, than the Censors began to take upon them the reformation of manners. The Senators and Knights in process of time became subject to their censure as much as the meanest of the People.

When the Censors made their general review, their citizens of all ranks trembled at the sight of their tribunal; the Senator, through fear of being expelled the Senate; the Knight, with apprehension of being deprived of the *Horse* which the Republic kept for him; and the Commoner, with dread of being removed from a higher tribe to a lower, or quite disabled from giving his vote in the Assemblies, or condemned to pay a fine. So that this wholesome terror was the support of the sumptuary laws, the bond of concord, and as it were the guardian of modesty and virtue^a.

^a After the second *Punic* war the Censors were always created out of such persons as had been Consuls, though it sometimes happened otherwise before. Their station came in time to be reckoned more honourable than the Consulship, though their authority, in matters of State, was not so considerable: And the badges of the two offices were the same, only that the Censors were not allowed the Lictors to walk before them, as the Consuls were.

The Censorship continued no longer than to the time of the Emperors, who performed the same duty at their pleasure: And the *Flavian* family, *i. e.* *Vespasian* and his sons took a pride (as Mr. *Walker* * observes) to be called Censors, and put this among their other titles upon their coin. *Decius*, the Emperor, entered on a design of restoring the honour to a particular Magistrate, as heretofore, but without any success. † *Kenn. Antiq.* P. 2. B. 3. Ch. 7.

C H A P. XXXII.

§. I. *The Romans put an end to a civil war among the Ardeates.* §. II. *And the next year make them some amends for the wrongs they had done them, on occasion of their contest with the Aricians.* §. III. *Sp. Mælius, a Roman Knight, and Corn-merchant, aspires to the sovereign power. His designs are discovered by Minucius, Superintendant of provisions, in the Consulate of T. Quinctius Capitolinus (now a sixth time Consul) and Agrippa Menenius. Quinctius, on this occasion, names his brother Quinctius Cincinnatus Dictator, who appoints Servilius Ahala to be his General of the Horse. Mælius is slain by Servilius. Three of the Tribunes, provoked at this action, stir up the People to mutiny; and the Patricians, to pacify them, consent to the creation of Military Tribunes for the next year.*

§. I. **W**HILE the Consuls were thus removing from themselves some part of the burden which had been annexed to their office, a neighbouring city found them new employment abroad. The *Ardeates* were involved in a civil war, occasioned by a dispute between two private citizens of *Ardea*, one of a noble family, the other of a *Plebeian*, who had both fallen in love with the same young woman. She herself was *Plebeian*, and her guardians were for giving her to a man of her own rank; but her mother, an ambitious widow, was fond of matching her with a man nobly born. It became a party quarrel, and rose to such a height, that the *Plebeians* left the City in great numbers, incamped on a hill in the neighbourhood, and from thence sent out parties that pillaged and laid waste the lands of the Nobility. The mutineers were joined by the *Volsci*, and, having chose themselves a Commander, named *Chulius*, laid siege to *Ardea*. The Nobles applied to the *Romans*. The Senate sent an army to their relief, under the command of the Consul *Geganus*, who invested the besiegers, reduced them to surrender their arms, and made pass under the yoke.

• But though *Geganus* returned to *Rome* with all the glory of a Conqueror, his triumph being attended with uncommon pomp and solemnity, yet his Collegue, *Titus Quinctius*, who had continued in *Rome*, was, for his admirable conduct in the civil government, and his impartiality in the administration of justice, more esteemed and respected than he. No-body ever knew better than *Quinctius* how to temper severity with mildness.

The Senators thought him sometimes too severe to the People, and yet the People were perfectly satisfied with his goodness to them. It is easy to imagine, that, during such a wise administration, the People did not think of changing the form of government, and creating Military Tribunes.

§. II.

Year of
R O M E
CCCX.
Bef. J. C.
Four hun-
dred for-
ty-two.
Sixty-
sixth
Consul-
ship.
Livy, B.
4. c. 9.

c. 10.

Year of R O M E CCCXI. §. II. *M. FABIVS* and *Posthumius Æbutius*, being chosen Consuls for the new year, made it their business to bury in oblivion the remains of that infamy which the *Roman People* had brought upon themselves by the unjust judgment formerly passed in relation to the *Ardeates*. They prevailed on the Senate to pass a decree for sending a colony to *Ardea*, to defend and re-people the city, much depopulated by the civil war. It was agreed, but secretly, for fear of the Tribunes, that no lands, except those formerly in dispute, should be divided among the new colony, of which the greater part should not be *Romans*, but *Rutuli* (whose capital city was *Ardea*) and that no Roman should have any portion of the lands, till all the *Rutuli* of the colony were provided for. This was in reality annulling the judgment of the People by an act of power. And accordingly *Agrippa Menenius*, *T. Clælius*, and *M. Æbutius*, the Commissioners for making the distribution, were (after a faithful discharge of their trust) cited to appear before the People. But these three *Patricians* avoided the prosecution, by declaring themselves Citizens of *Ardea*, and continuing there.

Year of R O M E CCCXII. The new year of *C. Furius* and *M. Papirius* was as peaceful as the foregoing; not but that some Tribunes of the Commons, always restless, endeavoured to revive the pretensions of the People, relating to the partition of the lands: They even threatened, according to their old custom, to oppose the raising of soldiers: But, as there were no wars then to be carried on, this menace was fruitless and despised.

Sixty-eighth Consulship. c. 12. §. III. ALL was quiet, when the next year, in the Consulate of *Proculus Geganius* and *L. Menenius*, there happened a dreadful famine, which occasioned seditions, by means whereof a private man (if we may credit *Livy*) was near getting possession of the sovereign power. The Senate imputed this scarcity of corn to the laziness and negligence of the *Plebeians*, who, intoxicated with the seditious harangues of the Tribunes, were always sauntering in the Forum, and, instead of cultivating their lands, wasted their time in idle reasonings about state affairs. On the other hand, the multitude (who always grumble at those who are at the helm) imputed the dearth entirely to the want of care in the Consuls. At length the People, with the Senate's approbation, appointed *L. Minucius*, an active, prudent man, to be principal purveyor and superintendant of provisions. *Minucius* sent his agents into the neighbouring countries all round to buy corn; but with little success. A *Roman Knight*, whose name was *Sp. Mælius*, one of the richest private men in the Commonwealth, had been beforehand with him at the markets in *Hetruria*, and had bought up, in that Province, so much corn, at his private expence, as hindered the agent of the publick from making the necessary Provision at a reasonable price. *Mælius* with a liberal hand distributed, among the necessitous, the corn he had amassed. It is said that the popularity he acquired by this means gave him good ground to hope being one day raised to the *Consulship*. But this, it seems, was not enough to satisfy his ambition. Nothing less than *regal Power* would content him.

During

During the publick calamity new Consuls were chosen, * *T. Quinctius* Year of
Capitolinus and *Agrippa Menenius*; but *Minucius* was continued in his R O M E
office. His commission frequently obliging him, either by himself or his CCXIV.
agents, to have intercourse with the same sort of men, with whom *Mælius* Bef. J. C.
trafficked in his private capacity, the purveyor, by their means, learnt that Four hun-
this ambitious Knight, under cover of that liberality, which drew crowds ty-eight
of People to his gate, formed Assemblies in his house; nay, he got in-
formation, that great quantities of arms were often carried thither by Sevea-
night. tieth
Consul-
ship.

He afterwards learnt that there was a conspiracy laid to change the form
of the Government; that *Mælius* aspired to the Royalty; that the People
were to take arms in his favour; and that the Tribunes had consented to
sell the publick liberty. * 6th time
Consul.

Minucius, having discovered the whole secret of this conspiracy, imme-
diately gave an account of it to the Senate. Heavy reproaches were thrown
upon the Consuls of the preceding year, and on those of the present, for
that so important a discovery should be first made by the Purveyor General;
whereas the Consuls ought not only to have been acquainted with *Mælius*'s
wicked designs more early, but before this time to have punished him.
Quinctius replied, that, as to the latter, the Consuls were unjustly blamed;
that they wanted neither courage nor resolution to punish so horrid an at-
tempt; but that the consular Authority was too much restrained by the
Laws of *Appeal*; that, if ever the business should be brought before a
general Assembly, *Mælius* would infallibly escape from justice, by the
favour of the multitude, who were devoted to him; that, in the present
danger, the Republick stood in need of a Magistrate, not only firm and
resolute, but above the laws; and that therefore he would name to the
Dictatorship his brother *L. Quinctius Cincinnatus*, a man whose prudence
and steady courage were answerable to that supreme authority. *Cinnna-
tus* would have declined the office, on account of his great age, being now
past fourscore; but the Consuls and the whole Senate declaring that no
man was so fit for it as he, and insisting upon his charging himself with
the care of the Commonwealth in this critical juncture, he at length ac-
quiesced, praying to the Gods, that the publick weal might not suffer
through his infirmities.

He named *Servilius Abala* to be his General of the Horse, and the next Livy, B.
day placed guards in all parts of the city, as if some foreign enemy had 4. C. 14.
been at the gates of *Rome*. This precaution surpris'd all who knew no-
thing of the conspiracy; every body inquired the reason of so strange a
novelty, and why a Dictator should be named in the midst of peace. But
Mælius plainly saw, that the power of that supreme Magistrate was wholly
bent against him; and therefore, to strengthen himself by the assistance of
the multitude, he was now more liberal and bountiful than ever.

The Dictator, finding that nothing but a stroke of authority could crush
so dangerous a plot, caus'd his Tribunal to be carried into the Forum;
and ascended it guarded by his Lictors armed with their axes. He then

Year of R O M E. sent *Servilius*, his Master of the Horse, to cite *Mælius* to appear before him. *Mælius*, surprised, and in doubt what course to take, delayed to obey, and sought to make his escape. *Servilius* commanded a Lictor to arrest him; which the Lictor having done, *Mælius* cried out, that the Senate wanted to destroy him only out of jealousy, and because he had consecrated his estate to the relief of the poor; he implored the assistance of the multitude, and conjured his friends not to suffer him to be murdered in their presence. The People hereupon, encouraging one another, rescued him out of the Lictor's hands. *Mælius* threw himself into the crowd, to escape; but *Servilius* pursued him, overtook him, and with a stroke of his sword killed him out-right. Then, all sprinkled with the blood of the slain, he presented himself before the Dictator; "*Mælius* (said he) refused to obey your summons, and endeavoured to raise a rebellion; he has by this hand received his due punishment." 'Twas greatly done, (replied the old man) you have saved the liberty of the Commonwealth.

He then convened a general Assembly of the People, laid before them the crimes of *Mælius*, and pronounced that he was justly slain^a. The Knight's house, by the Dictator's order, was razed to the ground. Prodigious quantities of corn were found there, which *Minucius* selling to the People at low rates, they made no opposition to a Decree which ordered a statue to be erected to his honour, as the reward of his vigilance.

But three of the *Tribunes*, who were doubtless the confidants and accomplices of *Mælius*, could never forgive either *Minucius* or *Servilius* the death of that ambitious Corn-merchant; they made loud complaints of the murder; and the *Tribunes* in general were so much provoked against the Senate, that they absolutely opposed the election of Consuls: The *Patricians*, to avoid a tumult, were forced to consent that *Military Tribunes* should be chosen to the Government, for the next year.

Some *Tribunes of the Commons* flattered themselves, that they should have a great sway in this election; but, notwithstanding all their cabals, the People, contented with being allowed to stand candidates, gave their votes to *Patricians* only. *Mamercus Æmilius*, *Julius Iulus*, and *L. Quinctius* (the son of the Dictator who had just taken off *Mælius*) were the persons elected.

^a See what is said on this Matter, in the note at the end of chap. xiv.

Year of R O M E. CCCXV.
Bef. J. C.
Four hundred thirty-seven.

Second
Mil. Trib

C H A P. XXXIII.

§. I. *Fidenæ* revolts from the Romans, and puts itself under the protection of *Tolumnius*, King of the *Veientes*. The Romans name a Dictator, *Mamercus Æmilius*, who defeats the enemy in a pitched battle, wherein *Cornelius Cossus*, a legionary Tribune, kills *Tolumnius* and strips him of his armour. §. II. *Sp. Mælius*, a Tribune of the Commons, commences a prosecution against *Servilius* and *Minucius*, for the death of *Mælius* the corn-merchant. §. III. The *Veientes* and *Fidenates* renew the war.

Fidenæ

Fidenæ is taken by the Romans. A law is passed restraining the office of Censor to eighteen months duration. §. IV. The Senate is obliged to humour the People, by suffering Military Tribunes to be created. However none but Patricians are chosen. The rich Plebeians complain of the poorer sort, for their having constantly refused to elect any of them to that Magistracy. The Senate, fearing lest some of the chief Plebeians should get into the Military Tribuneship, contrive, on occasion of a war with the Æqui, to get two Consuls chosen to the Government; but these disagreeing, through jealousy, the Senate judge it necessary to have a Dictator. The Consuls refuse to name one. The Senators rashly apply to the Tribunes to interpose in the affair. The Tribunes threaten the Consuls. Posthumius Tubertus is named Dictator. He defeats the enemy. §. V. The Æqui obtain a truce for eight years. Rome being afflicted with a famine and a plague, the People have recourse to foreign superstitions; which are soon prohibited. §. VI. The Veientes make incursions on the Roman lands. Disputes arising between the Senate and People about the prerogative of proclaiming war, the Romans do not take the field till the next year, when the People prevail to have Military Tribunes in the Government, but they chuse only Patricians. These not acting in concert are defeated by the enemy. Mamercus Æmilius, raised to the Dictatorship, gives the Veientes a total overthrow, and takes their camp, as also Fidenæ, which had again revolted from the Romans.

§. I. **T**HE tranquillity of the new administration was disturbed by the defection of *Fidenæ*, a city about five miles distant from *Rome*, on the side of *Sabinia*. It had been a *Roman* colony ever since *Romulus's* time. The *Fidenates* had frequently revolted; and now again, throwing off the yoke, they put themselves under the protection of *Tolumnius*, King of the *Veientes*. Nor did the *Fidenates* stop at rebellion only, but murdered four Ambassadors whom the *Romans* sent to them to ask the reason of their conduct. *Livy* relates, that they did this enormous deed by order of the King, whose aim (he supposes) was to extinguish in them all hope of a reconciliation with *Rome*. The prospect of coming soon to a bloody battle (for the war was already begun) determined the Republick to chuse Consuls, rather than Military Tribunes, for the ensuing year.

Year of
R O M E
CCCXV.
Bef. J. C.
Four
hundred
thirty-
seven.

Second
Mil. Trib.
Liv. B. 4.
c. 17.

M. Geganius (a third time) and *L. Sergius* were elected. It fell to the latter to conduct the war. But, though he gained some advantage over the enemy, it cost the *Romans* dear, and they did not think fit to continue at the head of the army a General, who was so prodigal of *Roman* blood. The Senate ordered a Dictator to be created, and *Mamercus Æmilius* was nominated by the Consuls. The very report of the election of a General whose merit was equal to his employment abated the confidence of the *Veientes* and *Fidenates*, who durst not appear in the field, till they were joined by the *Falisci*. The Dictator defeated these confederates in a pitched battle. *Tolumnius* was slain in the action by *Cornelius Cossus*, a legionary Tribune, who stripped him of his Armour and royal Robes. And these

Year of
R O M E
CCCXVI.
Bef. J. C.
Four
hundred
thirty-six.

Seventy-
first Con-
sulship.
Liv. B. 4.
c. 18, 19,
20.

Year of ROME spoils, called *opima spolia*, *Cornelius* afterwards carried on his shoulders in the Dictator's triumph, and then deposited them in the temple of *Jupiter* cccxvi. *Feretrius*. They were the second of the sort known in *Rome*. The first Bef. J. C. were borne by *Romulus*, who killed King *Acron* in single combat.

Four hundred thirty-six. §. II. IN the following year (of the Consuls, *M. Cornelius* and *L. Papirius*) one *Sp. Mælius*, a Tribune of the People, and a relation of the famous Corn-merchant, cited *Minucius* and *Servilius Abala* to answer for what they had done against his kinsman; *Minucius* for having brought a false accusation against him, and *Servilius* for having put to death a *Roman* Citizen, before condemnation.

Seventy-first Consulship. *Livy* intimates that these prosecutions were fruitless, and that the Tribune only brought himself into contempt by them: But others relate, that *Servilius* was condemned to banishment, from which *Cicero* pretends, that he was afterwards recalled. As for *Minucius*, we do not find that he suffered any thing from the resentment of the prosecutor.

Seventy-second Consulship. §. III. THE chief concern of the *Romans*, at this time, was to preserve themselves from the plague, with which they were grievously afflicted. And it raged with greater fury, in the following Consulship of * *Julius Iulus* and *L. Virginius*. While *Rome* was in this distress, the *Veientes* and *Fidenates* came and incamped almost close to the city, on the side of the gate *Collina*. The Senate, being terrified at so near an approach of the enemy, thought it necessary to nominate a Dictator; and the Consuls pitched upon *Quintus Servilius Priscus*, who commanded all those whose health would permit them to march out of the city. Upon this the enemy immediately retired: But *Servilius* came up with them near *Nomentum*, routed them, and afterwards took the city of *Fidenæ* by sap. However, this being looked upon as a civil war, because *Fidenæ* was a *Roman* Colony, the General was not granted a triumph, though he probably assumed then the name of *Fidenas*. This success was followed by a Census of the *Roman* People, which, after the establishment of the Censors, never failed to be renewed every five years.

Seventy-third Consulship. It is not agreed, whether *Rome* in the beginning of the year 319 was governed by the former Consuls, *Julius Iulus* and *L. Virginius*, or by new ones, *M. Manlius* and *Q. Sulpicius*, or by three Military Tribunes. But, be that as it will, it is certain that these Tribunes or Consuls were so little concerned in the events of the year, that they were soon forgotten. * A third time. A rumour being spread abroad, that all the nations of *Hetruria* were to take arms in favour of the *Veientes*, *Mamercus Æmilius*, a man illustrious both in peace and war, was raised a second time to the Dictatorship, a dignity in which he had before acquired great glory against the same enemies. But the news of this dreadful league proving false, and *Æmilius* finding himself deceived in his hopes of signalising his second Dictatorship by a new victory, resolved however to leave some monument of his zeal for the publick liberty. He observed to the People in a general Assembly, that their Ancestors, in order to preserve their freedom, had established in the Republick no Officer whose authority was to last above

a year :

a year: but that this wise precaution had not been remembered in the late Year of creation of Censors, who were allowed a five years Magistracy; that it R O M E was a grievous thing to be subject five years (a great portion of a man's cccxix. life) to the censure of the same persons: And that a Law therefore ought B. J. C. to be made for shortening the duration of that office to eighteen months. Four hundred thirty-three.

This discourse was received with great applause, especially by the People, and the next day the Law, with their approbation, was passed and published in form. Then *Æmilius*, "To convince you, *Romans*, that I am in earnest, when I express so great a dislike to Magistracies of long continuance, I now resign my own." The multitude with acclamations of joy, and with expressions of the greatest esteem and affection, conducted him back to his house. But *C. Furius* and *M. Geganius*, the present Censors, shewed a most extravagant resentment of the injury which they pretended was done them, by this abridging of the duration of the Censorship. *Æmilius* had no sooner abdicated his authority, but, in virtue of the power belonging to their office they struck his name out of the roll of his Tribe, took from him, as from a scandalous wretch, the privilege of voting, and loaded him with a tribute eight times greater than he used to pay. But this persecution, instead of dishonouring him, gave him a new lustre; all the shame fell upon the persecutors. The Senators themselves, notwithstanding they disliked the new law, were yet more displeased with the severe and arbitrary conduct of the Censors; making this natural reflection, that, though they might themselves be for a time possessed of the same power, they should probably be much longer subject to it. And, as for the People, full of indignation, they would have torn *Furius* and *Geganius* to pieces, if *Æmilius* had not been so generous as to save them. Seventy-fourth Consulship.

§. IV. THE Tribunes of the Commons, by renewing their ordinary harangues against the electing of Consuls, prevailed to have Military Tribunes chosen for the next year; nevertheless, in spite of all their interest and intrigues, the People still prepossessed in favour of the Nobility, as to their capacity for government, and the command of armies, gave their voices again to three *Patricians*, *M. Fabius*, *M. Postumius*, and *L. Sergius*. Nothing remarkable happened in their year except a plague, which ceased in the following year of *L. Pinarius*, *L. Furius*, and *Sp. Postumius*. And then ambition raised some fresh disturbances at *Rome*. The wealthy *Plebeians* complained of the inferior sort, as not well enough affected to their interests, having never chosen any but *Patricians* to be Military Tribunes, notwithstanding the law, which allowed them to chuse three *Plebeians* to that dignity. They met at the houses of the Tribunes of the Commons, to consult upon this matter; and there they came to this conclusion, that the neglect which had been shewn them was owing to the various arts used by the Nobles to gain the People's favour in elections, and it was resolved to propose a law, forbidding any pretenders to the superior offices to go about, as had been the custom, in garments of an extraordinary whiteness, (whence they were called *Candidates*) to solicit the People's votes: A matter which, as *Livy* tells us, would in his days have been thought of Year of R O M E cccxx. B. J. C. Four hundred thirty-two. Third Mil. Tri. Y. of R. 321. P. J. C. 431. Fourth Mil. Tri. Liv. B. 4. c. 25.

Year of R O M E small moment, and scarce worthy of a serious debate, but which at this time raised a very warm contention between the two parties. The Tribunes prevailed, the law was passed, and the present animosity of the People against the *Patricians* gave reason to believe that the former would no longer refuse their voices to the chief *Plebeians* for the Military Tribuneship. The Senate to avert this danger turned their thoughts to get Consuls chosen for the next year. The formidable preparations which the *Æquians* and *Volsci* made for war at this time favoured the design. As there were no *Plebeians* who had ever commanded armies, and none but old Captains and the chief men of the Senate were fit for that employment, the People were indifferent, whether Consuls or Military Tribunes were chosen this year. Thus the Senate being left masters of the election, the Consulship was restored, and T. *Quinctius*, the son of *Lucius*, and C. *Julius Mento* attained that dignity. A better choice could not have been made, with respect either to birth or capacity in the art of war: But, jealousy and division arising between them, it is said ^a they were beaten near the *Algidus*. The Senate, to prevent the Consequences of their defeat, resolved to have recourse to a Dictator. But the two Consuls, on whom the nomination of him depended, though they differed in all other respects, united to cross the Senators in this particular. They were probably offended at the diffidence shewn of their abilities; but, whatever was the cause of their non-compliance with the Senate's desire, they continued obstinate in their determination, 'till, expresses upon expresses bringing accounts of the mischievous progress of the enemies arms, Q. *Servilius Priscus*, a Consular person, turning to the Tribunes of the People who were then in the Senate-house, exhorted them to interpose their authority, and oblige the Consuls to name a Dictator. Those *Plebeian* Magistrates joyfully laid hold of so fair an occasion to extend their power, and, having withdrawn a while to consult, returned with this declaration, *That it was the pleasure of the Tribunes, that the Consuls should obey the Senate, or be led to prison, if they persisted in their disobedience.* Hereupon the two Magistrates submitted, upbraiding the Senators however, that it was by them the Consular authority was betrayed and subjected to the yoke of the Tribunitian power. The *Conscript Fathers* indeed seem to have been so much exasperated against the two Magistrates, and so intent upon vanquishing their obstinacy, as not to be duly sensible of the breach they made in their own authority. After some dispute between the Consuls about the person who should be Dictator, they drew lots for the privilege of nominating. It fell to T. *Quinctius*; and he named his father-in-law *Posthumius Tubertus*, who appointed L. *Julius Iulus* to be his General of the Horse.

Fourth
Mil. Tri.
Livy, B.
4. c. 26.

Year of R O M E
cccxxii.
Bef. J. C.
Four hundred
thirty.

Seventy-
fifth Con-
sulship.

Livy, B.
4. c. 27,
28, 29.

Posthumius was an old Captain, of great valour and experience, but naturally harsh and severe. The knowledge of his temper and the power of life and death, which the Dictatorship gave him, made all who were sum-

^a *Livy* speaks doubtfully, and seems here after the defeat; nor how the Generals came to be so suddenly in the Senate-house after it.

moned run obediently to range themselves under his ensigns. Leaving the defence of the city to the Consul *C. Julius*, and giving to the other Consul, *T. Quinctius*, the command of one half of the Army, he marched away, and soon came up with the enemy. Observing that they were lodged in two separate camps, he posted his troops likewise in two camps, about a mile from theirs. Daily skirmishes ensued, in which the *Romans* had generally the advantage. This took from the enemy the hope of conquering in the plain field. They attacked therefore the Consul's camp in the night. But neither did they succeed in this enterprize. By the able conduct of the Dictator and his Generals, the *Romans*, after a bloody conflict, proved victorious. *Posthumius* led back his army to *Rome*, and, when he had been honoured with a TRIUMPH, laid down the Dictatorship.

Year of
R O M E
ccccxii.
Bef. J. C.
Four hundred thirty.
Seventy-fifth Consulship.

§. V. THE next year, in which *C. Papirius* and *L. Julius* were Consuls, the *Æqui*, being humbled by former losses, desired to enter into alliances with the Republick, on the same foot with the *Latines* and *Hernici*. But their Envoys perceiving that the *Romans* were not inclined to an union, upon any other terms, than a submission at discretion, they proposed only a truce, which was granted for eight years. The *Volsi* at this time quarrelled among themselves, and from disputes and reproaches came to seditions and battles. By this means *Rome* was left in perfect tranquillity, and nothing remarkable was done there during the present Consulship, but the settling, by a law, the value of the oxen and sheep, paid by way of fines for disobedience to Magistrates; and the fines were ordered to be paid in money for the future, each ox valued at 100 Asses of brass, and each sheep at 10. The Tribunes were the first projectors of this new regulation; but the Consuls, having notice of the design, proposed the law themselves, by which they gained the favour of the People.

Year of
R O M E
ccccxiii.
Bef. J. C.
Four hundred twenty-nine.
Seventy-sixth Consulship.
Livy, B. 4. c. 30.

L. Sergius and *Hostus Lucretius* passed their Consulship in greater inaction than their Predecessors. The Republick enjoyed a profound peace. But the next year, when *T. Quinctius* (a second time) and *Cornelius Cossus* were raised to the Consulate, a calamity more grievous than war fell upon *Rome*, and almost upon all *Italy*. An extreme drought occasioned a famine, which was followed by a dreadful plague, that spared neither man nor beast. And not only the bodies of the *Romans* were distempered, says *Livy*, but their minds too were infected with various superstitions; and these chiefly of foreign growth. Rites and Ceremonies and expiatory Sacrifices, never before practised at *Rome*, were introduced by crafty knaves, who, pretending to prophecy, imposed on the credulity of the People. The chief Magistrates, well apprised of the danger of innovations in religion, ordered the *Ædiles* to put a stop to this disorder, and to see, that no other Gods were worshipped but the *Roman*, nor these worshipped in any other manner than that which was established by Law.

Y. of R.
ccccxiv.
Y. of R.
ccccxv.

§. VI. THE *Veientes* after their defeat near *Nomentum*, in the year 318, had obtained a truce for 8 years, but, before this time was expired, they

Year of R O M E CCCXXVI. Bef. J. C. Four hundred twenty-six. they had ravaged the lands of the Republick. The Senate therefore in the Consulship of L. * *Papirius* and *Servilius Abala* thought it proper to revenge this injury. The only question was in what manner war should be declared against them. The Senate pretended that their Decree would be sufficient: On the other hand the People urged that to determine affairs of peace and war was their peculiar province. This was not disputed, but the Senators alledged that the question at present was not about a new war, but about a war already begun, and only suspended by a truce. The Tribunes carried their point by threatening to hinder the levies, if the Consuls did not apply themselves to the People to obtain a declaration of war against the *Veientes*. These disputes produced these two effects, they delayed the vengeance of the *Romans*, and made the People insist upon having the government of the Republick placed the next year in the hands of Military Tribunes, and not of Consuls.

Year of R O M E CCCXXVII. Bef. J. C. Four hundred twenty-five. Four *Patricians* were chosen, T. *Quinctius Cincinnatus*, C. *Furius*, M. *Posthumius*, and A. *Cornelius Cossus*, and they took their employments by lot. *Cossus* stayed at Rome, the other three marched against the *Veientes*. But these Generals not acting in concert, when they came to an engagement with the enemy, the *Roman* army was routed. However, it happened very fortunately, that the nearness of the camp saved the troops from slaughter, and their disgrace was greater than their loss. But, as it had not been usual for them to suffer any disgrace, the whole city was in consternation at the news of this shameful action. The People demanded to have the Generals deposed, and at the same time to have a Dictator named. A difficulty arose in relation to this last demand. It had been the prerogative of the Consuls to nominate a Dictator, and there were no Consuls now in being. The Augurs, being consulted thereupon, declared that *Cossus*, who had had no share in the late disaster, might lawfully name a Dictator. Accordingly he named *Mamercus Æmilius*, that great man, who had been in the same post twice before, and whom the Censors had degraded, and sunk to a level with the lowest of the People. *Æmilius* appointed *Cossus* to be his General of the Horse.

In the mean time the inhabitants of *Fidenæ* massacred the *Roman* colony there, and revolted a seventh time to the *Veientes*, who passed the *Tiber*, and incamped near the city. The Dictator, with his infantry, attacked them furiously; but his left wing was a while amazed and terrified by the enemy's new manner of fighting. The *Fidenates* opened one of the gates of their city, and sent out some soldiers with lighted torches in their hands, and dressed in habits like those usually given the furies. These ran like mad enthusiasts through the *Roman* battalions, and threatened them with fire and sword at the same time. But the Dictator upbraided his men with cowardice, "What, said he, are you as much afraid of smoke as a swarm of bees? Make use of your swords to wrest these torches out of the enemy's hands, and then go and set fire to their city with them." The *Romans* recovered their courage, and *Cossus* with his cavalry falling upon the enemy at the same time, the latter were intirely defeated: Both *Fidenæ* and

and the camp of the *Veientes* were taken and plundered, and the prisoners were partly distributed by lot to the *Roman* Officers, and the rest sold for the benefit of the publick. This glorious expedition being finished in sixteen days, *Æmilius* led back his troops to *Rome*, had the honours of a triumph, and then laid down his Dictatorship, leaving it a question, whether his bravery or his moderation were the greater.

Year of
R O M E
cccxxvii.
Bef. J. C.
Four hun-
dred
twenty-
five.

C H A P. XXXIV.

Fifth Mi-
litary Tri-
bunes.

Livy, B.
4. c. 34.

§. I. Military Tribunes are chosen to the government the two following years ; but the choice falls only on Patricians. The Tribunes of the Commons use their utmost endeavours to dissuade the People from this preference of the Nobles to them, in their elections. The Senate, to counterplot them, before the new elections come on, contrive to send away the principal of the Plebeians into the field against the *Volsci*. In their absence Appius Claudius (son of the Decemvir) one of the Military Tribunes, holds an assembly for electing Consuls, and C. Sempronius and Q. Fabius are chosen. §. II. Sempronius brings the whole Roman army into danger of being cut to pieces by the *Volsci*. An Officer of horse, named Tempanius, by his bravery and prudence, prevents the defeat of the Romans. He arrives at Rome before the Consul, and gives testimony in favour of his conduct. §. III. The People condemn Posthumius (one of those Military Tribunes, who by their disunion had lost a battle in the year 327) in a fine. Tempanius is made one of the Tribunes of the Commons. His General Sempronius being prosecuted by the People for his misconduct, he takes his part, and engages the Tribune Hortensius, the accuser, to drop the prosecution.

§. I. THE two following years were spent in making truces with the *Veientes* and *Æqui*, and in other negotiations, and in celebrating the great games of the Circus. The Government was in each of these years committed to four Military Tribunes. The Tribunes of the Commons prevailed so far ; but they had still the mortification to see Patricians only elected.

Year of
R O M E
cccxxviii.
Bef. J. C.
Four hun-
dred
twenty-
four.

It is impossible to express the rage and indignation of these Plebeian Magistrates. They reproached the People with ingratitude. They told them plainly that great recompences were necessary to encourage men to great actions, and that for their parts they would throw up all care of the Plebeian interest, if their zeal and labours were never to be rewarded with honours. That it was much better to repeal the law which qualified Plebeians for the Tribuneship, than to see it thus rendered fruitless in all the

Year of
R O M E
cccxxix.
Bef. J. C.
Four hun-
dred
twenty-
three.
Livy, B.
4. c. 35.

A. SEMPRONIUS,	} Y. of R.		AP. CLAUDIUS,	} Y. of R.
L. FURIUS.			SP. NAUTIUS,	
L. QUINCTIUS,			E. SERGIUS,	
L. HORATIUS,			SEX. JULIUS.	

3. 329.

Year of elections by the cabals of the *Patricians*; and that it would be less shame
 R O M E to the Commons to be wholly excluded from the privilege of standing can-
 CCCXXIX didates, than to be always rejected as incapable or unworthy.

Ref. J. C. These discourses, often repeated, made an impression upon the multi-
 Four hun- tude; and at the same time the richest and most eminent men of the *Ple-*
 dred berans gave out, that, if they could once be chosen to the Government,
 twenty- they would not fail to get the publick lands divided among the citizens,
 three. procure the establishment of new colonies, and cause a tax to be laid upon
 Livy, B. the landed men to provide pay for the soldiers in time of war: In a word,
 4. 6. 36. they forgot nothing that might engage the People to raise them to the dig-
 nity of Military Tribunes.

The *Patrician* Magistrates, who were then in possession of that dignity, to avoid the shame of having *Plebeians* for their successors, privately agreed with the Senate to lead out of *Rome* (under pretence of making an incursion upon the lands of the *Volsci*, who, they gave out, were preparing with all diligence for war) the chief of the People, and especially those who aspired to the Military Tribuneship; and during the absence of the army to proceed to an election of Consuls. Three of the Military Tribunes took the field, leaving *Appius* (the Decemvir's son) their Colleague, to guard the city, and preside at the intended election. *Appius* was a young man bold and enterprising, and had been educated from his very cradle in an hereditary aversion to the People's power. No sooner were the *Tribunes* with great numbers of the *Plebeians* gone into the field, but, laying hold of the opportunity, he, pursuant to a decree of the Senate, held the *Comitia* for electing Consuls. *C. Sempronius Atratinus* and *C. Fabius Vibulanus* were chosen: And the People and their Tribunes, at their return, found the election too strongly settled, to think of reversing it. They afterwards shewed their resentment, by prosecuting one of the Consuls as a criminal, on account of the ill success he had in the war against the *Volsci*.

Year of §. II. THIS warlike People, who had long fought with the *Romans*
 R O M E for empire and dominion, did this year make, as it were, a last effort to
 CCCXXX. avoid receiving the yoke of their old enemies. They raised a great num-
 Ref. J. C. ber of troops, made choice of able Captains, and omitted none of those
 Four wife precautions, which may be looked upon as the surest presages of good
 hundred success. *Rome* sent against them her first Consul *Sempronius*, a man full
 twenty- of courage, familiar with his soldiers, and therefore greatly beloved by
 two. them, but who was himself more a soldier than a Captain, and seemed to
 Eightieth think that valour alone was sufficient to supply all the duties of a General.
 Consul- The two armies soon came in view of each other. *Sempronius* despised ene-
 ship. mies whom the *Romans* had so often vanquished; and, as if he had been
 Livy, B. 4. sure of winning the victory with only his infantry, left his horse in a place
 4. 73. where he could receive no manner of assistance from them. The fight be-
 gan with great fury on both sides. The *Romans* advanced daringly, and
 charged the enemy with their usual valour. But as they fought with
 more fury than order, and as the *Volsci*, drawn together in firm and close
 battalions, defended themselves with great courage, victory began to
 declare

declare for the side where was most disciplines. The *Volsci*, led by an experienced General, pressed on briskly, and broke the legion. The *Romans*, instead of attacking, thought now only how to avoid the attack of the enemy. They gave back, and lost ground apace. The Consul, perceiving it, hastened to the place where there was most danger. He fought with his own hands, and tried to animate his soldiers by his example and reproaches, but in vain. He called and he threatened; no-body gave attention to his orders. At length all the legions fell into confusion, and the battle had been quite lost, but for the valour and prudence of *Sex. Tempanius*, an old Captain of horse.

Sempronius, who, as was said before, had flattered himself that he should be able to defeat the enemy with only his foot, had left his horse in a place hemmed in with bogs, where it was impossible for them to fight. *Tempanius*, observing the disorder the legions were put into, leaped to the ground, and addressing himself to his companions, *Follow my lance*, said he, *as if it were a standard; and let us show the enemy, that, as well on foot as on horseback, nothing can withstand us.* The whole body of horse dismounted after his example, and followed him. *Tempanius*, at the head of them, marched straight against the enemy, and restored the fight. The legions, at the sight of this succour, resumed courage, and returned to the charge with fresh fury. The General of the *Volsci* could not conceive whence this new body of infantry should come. But, as he found himself pressed by them, he sent orders to his troops to open their ranks, and give passage to the soldiers which *Tempanius* commanded, and then to close again, in order to separate them from the *Roman* legions. The *Volsci* did as they were ordered. *Tempanius* and his men, carried on by the heat of their courage, and imagining they were following victory, and a routed enemy, rushed still forwards: But it was not long before they found themselves cut off from the *Roman* main body by some of the enemy's battalions, that stood now in close array. *Tempanius* did his utmost to force his way through them, and rejoin the Consul; but he could not break their order. In this extremity he spied an eminence, of which he presently took possession.

A part of the *Volscian* troops immediately attacked him, believing it impossible for him to make a long resistance. But *TEMPANIUS*, throwing his men into a ring, defended himself with invincible bravery; and this diversion saved the *Roman* army. The Consul, however, at the head of the legions, strove in vain to join *Tempanius*. The *Volsci*, though they lost abundance of men in this last conflict, kept their ground every-where; nor could the *Romans* break one of their battalions. They fought 'till it was night, without either of the Generals being able to perceive on which side lay the advantage; and nothing but want of light made the battle cease.

Both armies, believing themselves losers, equally feared to renew the fight the next morning; nay, the terror in both was so great, that they hastily quitted their camps in the night, leaving many of their wounded,

Year of
R O M E
ccccxxx.
Bef. J. C.
Four hun-
dred
twenty-
two.
Eightieth
Consul-
ship.
Livy, B.
4. c. 38.

Val. Max.
B. 3. c. 2.
Livy, B.
4. c. 39.

Year of and a great part of their baggage behind them, and retired to the moun-
 R O M E tains that were nearest to them.

ccccxx. *Tempanius* continued to be invested 'till after midnight; but then the
 Bef. J. C. assailants, receiving notice that their main army had abandoned their camp,
 Four hun- fled likewise in a fright. The *Roman*, who doubted not but the *Volsci*
 dred would attack him again when light returned, was very much surprised
 twenty- when at day-break he saw neither friends' nor enemies. He could not
 two. imagine what was become of two great armies, who, not many hours
 Eightieth before, had stretched over the whole plain. He went down with a few
 Consul- of his companions, and took a view, first of the *Volscian* camp; not a
 ship. man was to be seen in it, except those of the wounded, who had not been
 Livy, B. able to follow the main body of the army. Then calling down all his
 4. c. 39. soldiers from the hill, he entered the *Roman* camp, and there found the
 like solitude. Not knowing to what place the Consul was retired with his
 troops, and fearing the return of the *Volsci*, upon the first discovery of
 their error, he took up the wounded *Romans*, and marched straight to *Rome*.
 Some run-aways from the battle had got to the city before him; and, be-
 cause they had seen him and his followers cut off from the main army, and
 surrounded by the enemy, they had given out, that the whole body of ca-
 valry was cut to pieces. The return therefore of these brave men occasi-
 oned an excessive surprise and joy.

It happened, that the People were actually assembled when *Tempanius*
 arrived at *Rome*. The Tribunes of the Commons thought this to be a fa-
 vourable opportunity of humbling a Consul. They obliged *Tempanius* to
 appear in the Assembly before he set foot in own house; and *Cn. Julius*,
 one of those *Plebeian* Magistrates, asked him aloud, whether he thought
Sempronius had chosen a proper time to come to an engagement with the
 enemy, had supported his line of battle with reinforcements, or in any
 respect acted the part of a 'good General? He added, *You are to answer*
these Questions upon your honour, as you are a man of veracity and bravery.
Finally, tell us, what is become of Sempronius and our Legions; whether
they abandoned you, or you deserted them; and whether we are vanquished or
victorious? Tempanius, far from seeking to make his own advantage of
Sempronius's disgrace, answered, That it did not become a private Officer
to pretend to judge of the capacity of his General: That the People had,
given their opinion of it when they chose him Consul: That he had seen
him fight at the head of the legions with invincible bravery, and expose
his own person in all the places where there was most danger: That the
great distance between them after their separation, and the confusion which
always happens in so obstinate a fight, had kept him from knowing every
thing that passed where the Consul was engaged; but that he could how-
ever assure them, by what had appeared to him upon a view of the field
of battle, that the Volsci had not lost fewer men than the Romans. He
added, That as, upon his separation from the main body of the legions,
he had been so fortunate as to get possession of an eminence, on which,
notwithstanding all the assaults of the enemy, he had preserved those that
 were

were trusted to his command; so he presumed the Consul, in that general disorder, had gained the mountains, and there intrenched himself. *Tempanius* then desired leave to retire, in order to get the wounds dressed which he had received in the fight. The whole Assembly gave yet greater praises to the discretion and modesty of his answer, than to the valour and good conduct with which he had fought against the enemies of his country.

Year of
R O M E
cccxxxi.
Bef. J. C.
Four
hundred
twenty-
one.

§. III. HOWEVER the people were so much out of humour with their Generals, that they hastened the condemnation of *Posthumius*, one of the three Military Tribunes, who by their division had lost a battle in the year 327. The Tribunes of the Commons had in the beginning of the present year cited both him and his Colleague *T. Quintius* (the third was dead) to answer for their misconduct; but the prosecution had been suspended by the apprehension of a war with the *Volsci*. *Posthumius* was now condemned to pay a large fine^a; but *Quintius* was universally acquitted by the Tribes, on account of his own signal services, (when Consul under the Dictator *Posthumius*) as well as those of his father *Cincinnatus*, and his uncle *Capitolinus*; which latter interceded for him.

Eighth
Military
Trib.

As for *Tempanius*, the People, in reward of his services, chose him some time after to the Tribuneship, together with three other Officers, who like him had distinguished themselves in the war. In this post he gave new proofs of the generosity of his soul. For *L. Hortensius*, one of the Tribunes, having cited *Sempronius*, after the year of his Consulate was expired, to answer before the Assembly of the People for his conduct in the last battle, *Tempanius* and his three Collegues above-mentioned generously made themselves his advocates, and intreated *Hortensius* not to persecute a brave General, who had been only unfortunate on that occasion. *Hortensius*, believing that these Tribunes, though they affected to act the part of intercessors, had resolved to interpose their authority in favour of the accused, turning to *Sempronius*, asked him, *What was become of his Patrician spirit, and of that courage which a consciousness of innocence would give him, that he, a Consular, should shelter himself under the shadow of the Tribunes?* Then turning to his Collegues, *But, if I persist in my prosecution of this man, what is the part you will act? Will you rob the PEOPLE of their Judicature, and overturn the power of the Tribunes?* *Tempanius* and his Collegues replied, That the ROMAN PEOPLE had indisputably a supreme authority over *Sempronius* and all the members of the Republick; and that, as for themselves, they had neither the inclination, nor the power, to deprive the PEOPLE of their Right of Judging the accused: But that, if the intreaties they made in behalf of their General, who had been to them a father, could not prevail, they would change their habit, as he had done. “Nay (cried *Hortensius*) but that shall never be; the Com-

^a L. MANLIUS VULSO, L. PAPIRIUS MUGILLANUS
Q. ANTONIUS MERENDA, L. SERVILIUS STRUCTUS.
^b Ten Thousand Asces. Decem millibus aris, gravis damnatur. 321. 58. 10 d. *Arbutnot.*
“ mons

Year of " mons of *Rome* shall not see their Tribunes in mourning. I have done.
 R O M E " I have nothing farther to say against a man who by his behaviour in
 cccxxxi. " command could make himself so dear to his soldiers." And thus he
 Bef. J. C. dropt the impeachment.

Fourhun-
 dred
 twenty-
 one.

C H A P. XXXV.

Eightieth
 Consul-
 ship.

§. I. *New diffensions arise in the Republick, on occasion of a proposal to add two Quæstors to the two already established. The Tribunes resolve not to suffer an election of Consuls, unless it be made a rule, that, of the four Quæstors, two be always Plebeian. The two parties come at length to this compromise, that Military Tribunes shall be elected to the government, and that the People shall be free to chuse Patricians or Plebeians to the Quæstorship. The People chuse not only the Military Tribunes but the Quæstors too out of the Patricians only.* §. II. *The Tribunes revive the old quarrel about the distribution of the conquered lands. Appius's advice to the Senate, to raise a division among those Magistrates, is followed with success.* §. III. *The affair of the AGRARIAN LAW is revived. Posthumius, one of the Military Tribunes, and General of the army, by his breach of word, and by some imprudent menaces, so provokes his soldiers, that they mutiny. Attempting to punish the mutineers, he is slain by them. The Senate, fearing lest the People, in order to screen the murderers, should chuse Plebeian Military Tribunes for the next year (340) use all their endeavours to get the Consulship restored; and they prevail. The fasces, after being seven years in the hands of Military Tribunes, are transferred to two Consuls, A. Cornelius Cossus and L. Furius Medullinus, who shew great moderation and prudence in the prosecution of the criminals.* §. IV. *In the year 344, the People chuse three of the four Quæstors out of the Plebeians. And the Senate is forced to consent to an election of Military Tribunes for the next year. Three Patricians are chosen. These being ordered by the Senate to name a Dictator, on occasion of a war with the Volsci, two of them refuse. The Senate hereupon has recourse, as formerly, to the Tribunes; but these return a disdainful answer, and will not meddle in the dispute. Servilius Ahala, the third Military Tribune, names P. Cornelius Dictator, who quickly puts an end to the war. Servilius's two Collegues, in anger against the Senate, propose Military Tribunes at the next election: However Patricians are chosen, and so likewise the next year. The Tribunes of the Commons, provoked to the utmost, revenge themselves, by opposing the levies for a war with the Veientes, who had insulted the Roman Ambassadors; and they make the old affair of the Agrarian Law their pretence. The Senate get the better of this opposition, by decreeing that the infantry shall hereafter have PAY out of the publick treasury, during the service. The People joyfully confirmed this Decree, and readily offer themselves to be enlisted.*

§. I. **T**HE affection which four *Tribunes of the Commons* had shewed to a *Patrician*, and the compliance of *Hortensius* with their desires in his favour, seemed to promise a better understanding, and more union between the Senate and People, than there had been of late: But the very next year, in the Consulate of *T. Quinctius Capitolinus* and *Fabius Vibulanus*, new dissensions arose with relation to the Quæstorship. [The institution of this office is ascribed by *Plutarch* to *Poplicola*, who (according to the same Author) left the choice of the Quæstors to the People. Their business was to collect the taxes, defray the expences of war, and keep exact accounts of their receipts and disbursements of the publick money, of which they were the treasurers, and for which they were accountable. And, lastly, the *Roman* eagles were deposited with them, and they delivered them out, at the Consuls command, when the *Romans* marched into the field.]

To this time, only two of these Officers had been annually chosen, who never stirred from *Rome*. The Consuls proposed that two others should now be added, to attend the Generals in the field, take account of the spoils won from the enemy, sell the booty, and, above all, provide for the subsistence of the army. The Senate warmly seconded this Proposal, till the *Tribunes* demanded, that some of the Quæstors should henceforward be *Plebeians*. (Hitherto the Quæstors had been chosen out of the *Patricians* only. Both Consuls and Senate, at first, opposed this demand with all their might, afterwards they yielded thus far, That in the election of Quæstors, as in that of Military Tribunes, the *Roman* People, if they thought fit, should chuse as many *Plebeians* as *Patricians*. But the Tribunes, demanding that two of the Quæstors should always indispensably be *Plebeians*, the Senate, rather than submit to this, dropt the design of increasing the number of those officers. The Tribunes, in revenge, renewed the proposal of the *division of the lands*; nor would they suffer the present Consuls to hold the *Comitia* for electing new ones, but insisted on having Military Tribunes for the next year. The Senate were now more than ever concerned to hinder this, lest, if the *Plebeians* were chosen to the Government, the *Agrarian Law* should take place. The obstinacy of the two parties in holding to their demands threw the Republick into a kind of anarchy: For the Tribunes sometimes even opposed the Senate's meeting to name an *Inter-rex*; but they constantly hindered this Officer's holding any Assembly for the chusing of Consuls. At length *L. Papirius Mugillanus*, being *Inter-rex*, by expostulations and soft persuasions, brought each of the parties to yield something of its pretensions, in order to a reconciliation. The Senate agreed to let *Military Tribunes* be chosen instead of *Consuls*; and the Tribunes of the Commons consented that in the election of the four Quæstors the People should give their votes as they pleased, either to *Patricians* or *Plebeians*; and thus the dispute ended.

Year of R O M E cccxxxiii. Bef. J. C. Four hundred and nine-teen. Ninth Military Tribunes. Livy, B. 4. c. 43.

The Assembly for the election of *Military Tribunes* was first held; and, notwithstanding all the credit and intrigues of the Tribunes of the Commons, four *Patricians* were chosen, *L. Quinctius Cincinnatus*, *Sp. Furius Medullinus*, *M. Manlius*, and *A. Sempronius Atratinus*, (cousin to the Consul of the same name :) *Sempronius* presided in the election of *Quæstors* *. *Antistius* and *Pompilius*, two Tribunes of the Commons, asked the *Quæstors*hip, the first for his son, the second for his brother; yet none but *Patricians* were promoted to that office; the People had not power to deny it to men whose fathers and ancestors had been honoured with the Consulship. The Tribunes of the Commons, enraged almost to madness at this preference, cried out, *What! Two Tribunes of the Commons, one recommending his son, the other his brother, and both disregarded! There must infallibly have been some deceit in gathering the votes, and A. Sempronius ought to be called to account for it.* But as he was a man of known probity, and his innocence and the dignity with which he was then invested, set him above their reach, they turned all their fury against *C. Sempronius*, his relation, before spoken of, and revived the prosecution against him (for his ill conduct in the last battle) which *Hortensius*, at the request of *Tempanius*, had dropped. He was again cited to appear at the end of twenty-seven days. During this interval, *Sempronius* constantly attended the Senate, and being resolved not to lose his character there, by a timorous behaviour, zealously opposed the request of the Tribunes, concerning the partition of the lands; and he behaved himself with the same steadiness on his trial: But, notwithstanding all the solicitations of the Senate in his favour, he was fined 15,000 *Asses* [48 l. 8 s. 9 d.]

Year of R O M E cccxxxiv. Bef. J. C. Four hundred and eighteen. Tenth Military Tribunes. Liv. B. 4. c. 45. * 15 miles from Rome. Year of R O M E cccxxxv. Bef. J. C. Four hundred and seventeen.

§. II. IN the following Military Tribuneship of *Agrippa Menenius Sp. Nautius*, *P. Lucretius*, and *C. Servilius*, a plot was formed by the slaves, to set fire to the city, and seize the Capitol; but this secret was revealed by some of the conspirators, and the mischief prevented. Soon after, *Lavicum* *, a city included in the *Latine* confederacy, gave the Romans some reasons to suspect their fidelity. And the next year (in which the Republick was governed by three Military Tribunes only, *M. Papirius*, *C. Servilius*, and *L. Sergius*) produced the intire revolt of the *Lavicani*, who joined the *Æqui*, pillaged the territory of *Tusculum*, and incamped with their new allies under the *Algidus*. It was ordered by the Senate that two of the Military Tribunes, should take the field, and the third continue to govern the city. Upon this a contest arose between the three, no one of them being willing to stay at home. The Senate was offended at these disputes; and *Q. Servilius Fidenas*, formerly Dictator, put an end to them by his paternal authority, commanding his son *C. Servilius*, one of the three Governors, - to stay in *Rome*. But the two Generals agreed no better in the field than they had done in the city; each was for fighting the enemy

* By a letter from *Cicero* to *Curius* (Ep. 30. L. vii. ad Famil.) it appears, that, in their time, the *Quæstors* were elected in *Comitia Tributa*. But I find no reason to

believe, that, at this time, they were elected in those assemblies, nor so long as the People chose the *Quæstors* out of the *Patricians* only.

his own way; they despised each other, and the troops were divided into two parties. When the news of this discord came to *Rome*, *Q. Servilius* apprehended the consequences of it, and advised his son to raise more troops to be in readiness at all events: And the advice proved serviceable. For, the two Generals having at length agreed to command the troops alternately each his day, *Sergius* soon after imprudently hazarded a battle, and by a stratagem of the enemy, who designedly gave ground to draw him into an ambush, was intirely defeated. He took refuge with his broken troops in *Tusculum*. Upon this news the Senate ordered a Dictator to be created; and the younger *Servilius* nominated his father, who (as some say) appointed his son General of the Horse. The father and son left *Rome* at the head of a new army (that which had fled to *Tusculum* being recalled) and incamped within two miles of the enemy. The Dictator being there informed that they were grown negligent and presumptuous, he marched with haste to attack them, routed them, invested *Lavicum*, their place of retreat, and took it by assault. And, all this being done in eight days, he returned to *Rome*, and immediately laid down his office.

Year of
R O M E
cccxxxv.
Bef. J. C.
Four hundred
seventeen.
Eleventh
Mil. Tri.

Livy, B.
4. c. 47.

The succeeding Military Tribunes, *P. Lucretius*, *L. Servilius*, *Agrippa Menenius*, and *Sp. Veturius*, gained no other glory but that of preserving the Republick in the same tranquillity in which they found it.

But the next year (when *A. Sempronius*, *M. Papirius*, *Q. Fabius*, and *Sp. Nautius*, governed the Commonwealth) *Sp. Mæcilius*, a fourth time Tribune of the People, and *Metilius*, now Tribune a third time, renewed the proposal of an equal distribution of lands, conquered from the enemies of *Rome*. This tended to a confiscation of the estates possessed by a great part of the Nobility. The city of *Rome* had been built upon ground originally belonging to the city of *Alba*, and had scarce any territory, but what had been since won, sword in hand. Under pretence of buying or renting parcels of this acquisition, those of the *Patricians* whose ample share in the Government furnished them with opportunities, had possessed themselves of large tracts, to which they could not produce any just title. The Tribunes were for resuming these lands, and making a fair partition of them among all the Citizens, Nobles and Commons. To defeat this project the SENATORS had meetings publick and private. The youngest of them, *Appius Claudius*, (grandson of the Decemvir) is said to have spoken to this effect: That it had been a constant tradition in his family, that relief against the Tyranny of the Tribunes was to be found no where but in their own College: That the best way to frustrate the designs of *Mæcilius* and *Metilius* was to engage some one of their Collegues to oppose them: that it would be no difficult matter for the Nobles by condescensions and caresses to gain over those who were but newly come into Office, made no figure, and were perhaps jealous of the authority assumed by the two leading Tribunes. And he exhorted the *Fathers* to try the experiment.

Twelfth
Military
Tribunes.
Year of
R O M E.
cccxxxvi.
Bef. J. C.
Four hundred
fifteen.
Thirteenth
Military
Tribunes.
c. 48.

This advice they unanimously approved, and *Appius* was highly praised for having thus shewn that he did not degenerate from the virtue of his an-

Year of censors. The chief men of the Senate immediately applied themselves to
 R O M E gain some of the Tribunes; and by intreaties and remonstrances they suc-
 cccxxxviii. ceeded so well, that of the ten they won over six to oppose the promulga-
 Bef. J. C. tion of the law. *Mæcilius* and his Collegue reproached them as traytors,
 Four hun- enemies to the People, and slaves to the Senate: But it was all in vain,
 dred fif- they were forced to desist from their enterprize.
 teen.

Thir- The Senate, by means of a good intelligence with the majority of the
 teen- Tribunes, remained the directors of affairs the following year also. *L. Sex-*
 Mil. Tri- *tius*, one of the College, to make his court to the People, having proposed
 Year of to send a colony to *Volæ*, a little town which they had lately taken from the
 R O M E *Æqui*, the other Tribunes opposed it, and declared, that, during their Tri-
 cccxxxviii. buneship, they would never suffer any new law to be offered, which had
 Bef. J. C. not been first approved by the Senate. But this influence of the *Conscript*
 Four hun- *Fathers* in the Tribunitian College did not last long: The affair of the
 dred four- *Agrarian Law* was revived the next year.
 teen.

Four- §. III. THE *Æqui* having retaken *Volæ*, *P. Posthumius Regillensis*, one
 teen- of the Military Tribunes, a good soldier, but an imperious, obstinate,
 Mil. Tri. wrong-headed man, was sent with an army to recover it. After some
 Livy, B. skirmishes with the enemy in the field, he invested that place. Before he
 4. c. 49. led his troops to the assault, he promised them for their encouragement,
 Year of that, if they took the town, they should have the plunder. The place was
 R O M E won, but the General, who naturally hated the *Plebeians*, of whom the
 cccxxxix. greatest part of his army consisted, broke his word, and sold all for the
 Bef. J. C. Publick treasury.
 Fourhun-
 dred thir-
 teen.

Fifteenth *Sextius*, one of the Tribunes of the Commons, soon after brought on
 Mil. Tri. anew the affair of the *conquered lands*. *Posthumius* was hereupon sent for
 to *Rome* to assist his Collegues in opposing the Tribunes enterprize. Being
 come, he in full Assembly of the People dropt an expression, that seemed
 to speak him a fool or a madman. *Sextius* having proposed to the Assem-
 bly to pass a decree for dividing the city and territory of *Volæ* among the
 soldiers who had made the conquest, affirming that they had the best right
 to the benefit of it, *Posthumius* hastily cried out, *Woe be to my soldiers, if*
they stir. So proud and unjust a saying offended the Senators no less than
 the multitude: *Sextius*, bold and eloquent, took advantage of the general
 discontent, and directing his speech to the People: "Do you hear how
 " *Posthumius* threatens his soldiers, as if they were so many slaves? And
 " yet this brute of a man you think more worthy of the *Military Tribune-*
 " *ship*, than any of us, whose whole study is to procure you lands, and
 " houses, and a comfortable retreat in your old age, and to defend you
 " upon all occasions against such proud and cruel adversaries. Can you
 " then have any reason to wonder, that of late so few of your Tribunes

CORNELIUS COSSUS, QUINCTIUS CININNATUS, VALLERIUS VOLUSUS, FABIUS VIBULANUS.	} Y. of R. 338.		Q. FABIUS, CN. CORNELIUS, P. POSTHUMIUS, L. VALERIUS.	} Y. of R. 339.
---	-----------------	--	--	-----------------

“ shew

“ shew much zeal for your interests ? What have we to expect from you ? Year of
 “ Honours ? You bestow them upon your enemies, *Posthumus*’s words R O M E
 “ have indeed shocked you, filled you with horror. But what then ? If ^{CCCCXXIX.}
 “ you were just now to go to an election, you would prefer this cruel ^{Ref. J. C.}
 “ threatener to your best friends, to those who have nothing at heart but ^{Four}
 “ your welfare.” ^{hundred}
^{thirteen.}

This Discourse did not fail to inflame the People ; and when the threats
 of *Posthumus* were reported in the camp, they occasioned such a commo- ^{Fifteenth}
 tion and murmuring in the army, as came little short of downright sedi- ^{Mil. Tri.}
 tion. *P. Sestius*, one of the *Quæstors*, having in the absence of his Gene- ^{Livy, B.}
 ral ordered a *Lictor* to seize a soldier who was more mutinous than the rest, ^{4. c. 50.}
 his fellow-soldiers rescued him, and one of them gave the *Quæstor* a severe ^{Zonaras,}
 blow with a stone. *Posthumus*, informed of this tumult, hastened to the ^{B. 7.}
 camp, and exasperated the troops more than ever by the strictness of his
 inquiries, and the cruelty of his punishments. He commanded the most
 guilty of the mutineers to be put to death *under the hurdle*, a kind of exe-
 cution which has been beforementioned. The manner of it was this :
 The criminal was laid at his length in a shallow water, under an hurdle,
 upon which they heaped stones, and so pressed him down ’till he was
 drowned. But in vain did the General now pass this sentence against the
 seditious : the rest of the soldiers tore them out of the hands of the exe-
 cutioners, and set them at liberty. *Posthumus*, transported with rage,
 came down from his Tribunal, and, preceded by his *Lictors*, broke
 through the press, in order to lay hold on the criminals. He found no ^{Florus,}
 respect remaining, among the soldiers, either for his orders or his person ; ^{B. 1.}
 they opposed force with force, and, being urged to fury, stoned him to
 death. This was the first instance, from the foundation of *Rome*, of a *Ro-*
man General slain by his troops.

When the news of the tragical end of *Posthumus* came to the city, his Col- ^{Livy, B.}
 leagues, who resided there, zealous to revenge his death upon the rebellious ^{4. c. 50.}
 soldiers, decreed, with the Senate’s approbation, that informations should
 be taken concerning it : The *Tribunes* of the Commons interposed. This
 contest depended upon another. The *Conscript Fathers* thought it of the
 utmost importance to avoid an election of Military *Tribunes* for the next
 year, lest the Commons, to screen the guilty soldiers, should chuse Go-
 vernors out of the *Plebeians*. They would therefore have made a Decree,
 that *Consuls* should be chosen in the next *Comitia*. The passing of this
 Decree was opposed by the *Tribunes* of the Commons, and the conten-
 tion lasted so long, that the Republick fell into an *Inter-regnum*. In the ^{Livy, B.}
 end the Senate carried their point. *Fabius Vibulanus*, being *Inter-rex*, ^{4. c. 51.}
 assembled the *Comitia* by Centuries, and they chose *M. Cornelius Cossus* and ^{Year of}
L. Furius Medullinus *Consuls*. These were good-natured men, and for ^{R O M E}
 that reason, as it was thought proper not to be too rigorous in punishing ^{CCCCXL.}
 the soldiers who had murdered their General, were unanimously appointed ^{Ref. J. C.}
 by the Senate and People to inquire into the crime. Necessary it was to ^{412.}
 make examples ; but this was done with moderation ; and those few who ^{82d Con-}
 died ^{sulship.}

Year of R O M E CCCXL. died fell by their own hands, and not by the axes of the *Lictors*. The Consuls thought it more advisable to suppose the army in general to be innocent, than to drive them into an open revolt by too strict an examination. It had been happy if the Senate and Consuls had, to so prudent a management, added the partition of the Territory of *Vols* among the People: They had indeed no plausible pretence not to do it, there being as yet no private occupiers of it to be disturbed in their possessions. And this would have been the most effectual way to silence the factious complaints of the Tribunes, and abate the ardour of the People for the division of the publick lands conquered before. But the Commons now saw with indignation, that the secret design of the Senate and Nobility was to keep them always in poverty, as well for their own interest, as to make them more submissive and dependent. Before it be long we shall see them persecute their pretensions with more fury than ever.

Eighty-second Consulship.

In the mean time the Consul *Furius* marched against the *Vols*, who had pillaged the territory of the *Hernici*. At his approach the enemy disappeared; and he took from them *Ferentinum*, which he gave to the *Hernici*, with the lands about it, to compensate their losses.

Year of R O M E CCCXLI. Bef. J. C. Four hundred eleven.

Eighty-third Consulship.

Liv. B. 4. c. 52.

Year of R O M E CCCXLII. Bef. J. C. Four hundred ten.

Eighty-fourth Consulship.

Year of R O M E CCCXLIII. Bef. J. C. Four hundred nine.

Eighty-fifth Consulship.

c. 53. * In Latin.

§. IV. THE Tribunes made no opposition to the election of Consuls for the next year; and *Q. Fabius* and *C. Furius* were chosen. But *L. Icilius*, a Tribune, began to resume the affair of the conquered lands with immoderate heat. A plague that raged in the city put a stop to his career. This calamity was of course followed by a scarcity of provisions: For, the citizens being also the husbandmen, the lands were left untilld while the distemper prevailed; and the loss of one harvest was sufficient to reduce *Rome* to extreme want.

The famine was severely felt in the succeeding Consulship of *M. Papirius* and *C. Nautius*; however, care was taken to get corn from *Hetruria* and *Sicily*; and *Rome* by extraordinary good fortune continued this year without commotions at home or abroad.

No sooner did the plague and famine cease, but the *Æqui* renewed their incursions upon the territories of the *Latines* and *Hernici*, faithful allies of *Rome*. *M. Æmilius* and *G. Valerius* were now Consuls. It fell to the latter to conduct the war; but, when he would have levied troops, the Tribune *Mænius* opposed it upon the old pretence of the *Agrarian Law*. In the mean time the *Æqui* insulted the *Romans*, and took from them the fort of * *Carventum*. This disgrace not only increased the hatred of the Nobles to *Mænius*, but induced the other nine Tribunes to assist the Consul in making the levies and punishing those persons who refused to serve.

The *Romans* recovered the fort, and found in it a considerable booty which the enemy had laid up there; but, *Valerius*, being dissatisfied with his men on account of their backwardness to enlist themselves for the war, he sold all, and put the money into the *Quæstor's* hands.

It was the custom in the triumphal procession for the soldiers to chant satyrical verses on the victor, who enjoyed that honour. In *Valerius's* Ovation they did something particular, and by way of revenge they divided

divided themselves into two choirs, and, while one made the air resound with songs against their General, the other sang verses in praise of *Menius*; and every time his name was repeated the People in the streets clapped their hands and made acclamations and even drowned the noisy musick of the soldiers.

This behaviour of the citizens alarmed the Senate and obliged them to bestir themselves, to hinder an election of Military Tribunes for the next year, lest *Menius* should be chosen for one. The *Fathers* prevailed; Consuls were elected; and the choice fell upon *Cn. Cornelius* and *L. Fabius*.

Under their administration three Tribunes of the name of *Icilius*, all three kinsmen, and of a family in which to hate the *Patricians* was hereditary, undertook to deprive them of the *Quæstorship*, which hitherto had never been out of their order, though *Plebeians* were qualified to stand for it. The *Icili* talked much of glorious projects they had formed in favour of the Commons; but at the same time declared that they would not stir one step towards the execution of them, unless the *Plebeians* would assume so much courage at least as to raise some of their own body to the *Quæstorship*. The multitude, possessed with hopes of the mighty advantages they were to reap from the zeal of their present Tribunes, gave their votes in the election of *Quæstors* to *Q. Silius*, *P. Ælius*, and *P. Pupius*, all three *Plebeians*; and of the *Patricians* who put up for that dignity none but *Cæso Fabius Ambustus* could obtain it.

The Tribunes of the Commons, elated with this victory over the Nobility, flattered themselves, that the *Quæstorship* would now open them a way to the Military Tribuneship, the Consulate, and the Triumph. They would not hear therefore of an election of Consuls for the next year; they opposed the publication of a Decree of the Senate for that purpose; they cried out, that it was high time for the *Plebeians* to have their share in the Government. The disputes on this head grew warm, when, luckily, for the *Icili*, news came that the *Æqui* and *Volsci* were again in motion. The Tribunes opposed the levies, which, in pursuance of a *Senatus-consultum*, the Consuls would have made. Two of the *Icili* constantly attended upon these Magistrates, each watching his man, to hinder him from raising troops, or holding the *Comitia* for chusing new Consuls. The business of the third *Icilius* was to manage the Multitude, and let them loose, or restrain them, as he judged proper. Things were at this pass, when news was brought that the *Æqui* had retaken the fortress of *Carventum*. This gave the Tribunes a farther advantage, the want of an army being now more pressing. In short, the Senate were forced to consent to an election of Military Tribunes; but, to disappoint the *Icili*, they annexed this proviso to their decree, *That none of the present TRIBUNES OF THE COMMONS should be chosen to the MILITARY TRIBUNESHIP, or continued in their office the next year.*

The levies now went on without opposition. The Consuls marched to recover *Carventum*, but they lost a great deal of time before it, and were forced

Year of
R O M E
cccxliv.
Bef. J. C.
Four hundred
nine.

Eighty-
fifth
Consul-
ship.

Year of
R O M E
cccxliv.
Bef. J. C.
Four hundred
eight.

Eighty-
sixth
Consul-
ship.

* A 2d
time.
Liv. B. 4.
c. 54.

c. 55.

Year of forced to raise the siege at last. They took however *Verrugo* from the
R O M E *Volsci*.

cccxliv.
Bef. J. C.
Four
hundred
eight.

Eighty
sixth
Consul-
ship
Livy B. 4.
c. 56.

Though the Commons had carried their point, of obtaining *Comitia* for electing *Military Tribunes* (instead of *Consuls*) for the next year; yet the *Fathers* got the victory at the elections: three *Patricians* were chosen and no *Plebeian*. It is said that the Nobles made use of a stratagem (and were reproached with it at that time by the *Idilii*) which was this: They engaged a great number of the meanest and most worthless of the *Plebeians* to stand candidates, mixing them with the worthy candidates of the same order. The People were so disgusted with the appearance of the former, that they would not give their voices to the latter, nor to any but *Patricians*.

Year of
R O M E
cccxliv.
Bef. J. C.
Four
hundred
seven.
Sixteenth
Mil. Tri.

C. Julius Iulus, *P. Corn. Cossus*, and *C. Servilius Ahala* were declared Military Tribunes; but did not long continue in the supreme Command. The *Volsci* having set on foot a very formidable army, the Senate, according to custom, resolved to send a Dictator against them. As the absolute authority of that Magistrate in a manner swallowed up the power of all the inferior Officers, *Julius* and *Cornelius* opposed his nomination, alledging that they did not want courage and experience to command an army, and that it was unjust to deprive them of a dignity which they had so lately obtained by all the votes of their fellow-citizens.

The Senate, exasperated at their refusal to name a Dictator, had recourse to the *Tribunes of the Commons*, as they had done before upon the like occasion. But the Tribunes of this year observed a different conduct from that of their predecessors. Overjoyed to see this dissension between the Military Tribunes and the Senate, they answered, with a scornful raillery, "That for their part they could give no help in the affair; that they were only *Plebeians*, not citizens, nor even to be reckoned in the number of men; that, if ever the honours and dignities of the Republick were made common to them with the *Patricians*, they should then take care that no proud Magistrate disobeyed the decrees of the Senate; but that in the mean time the *Patricians* themselves, as they had thrown off all respect of Laws and Magistrates, might also, if they pleased, assume the power and functions of the *Tribunes*, and do their own business as they could."

c. 57. The contests drawing to an end, and the enemy still advancing towards the frontier, *Servilius Ahala*, the third Military Tribune, declared publicly, that the good of his country was more dear to him than the friendship of his Collegues; and that, if they would not chuse a Dictator, he would take upon him to name one himself: And accordingly, being supported by the whole Senate, he named to that highest Magistracy *P. Cornelius Rutilus*, who afterwards appointed *Servilius* to be General of the Horse.

The war was of no long continuance; the *Volsci* were defeated near the city of *Antium*, their territory plundered, and a great number of prisoners taken. After this expedition the Dictator laid down his authority, and the
Military

Military Tribunes resumed theirs. *Julius* and *Cornelius Cossus*, discontented with the Senate for having, by the creation of a Dictator, frustrated their hopes of acquiring glory, in this war, made no mention of electing Consuls for the ensuing year, but appointed an Assembly for chusing Military Tribunes. The *Conscript Fathers* were much alarmed to see their interest thus betrayed by men of their own order: and therefore, as they had, the last year, by setting up *unworthy* candidates from among the *Plebeians*, given the People a dislike to all the *worthy*; so now they effected an exclusion of all *Plebeians* by setting up, for candidates, the most illustrious members of their own body, men whom they knew to be esteemed by the Commons. *C. Valerius* * *C. Servilius*, *L. Furius*, and † *Fabius Vibulanus*, all eminent *Patricians*, were chosen to the Military Tribuneship.

Year of
R O M E
ccccxlv
Bef. J. C.
Four hundred
seven.

Sixteenth
Mil. Trib

Year of
R O M E
ccccxvi.
Bef. J. C.
Four hundred
dix.

Seven-
teenth
Mil. Tri.

* A 2d
time.

† A 3d
time.

Livy, B.

4. c. 38.

The truce with the *Veientes* being at this time expired, the *Romans* sent Heralds to them to renew their demand of satisfaction of damages formerly sustained. These Heralds, meeting on the road some Envoys going from *Veii* to *Rome*, consented, at their request, to proceed no farther, 'till the latter had been heard by the Senate. The *Veientan* Ministers obtained of the *Conscript Fathers* to desist from their demands, 'till some civil broils which were then at *Veii* should be quieted; a conduct which *Livy* remarks as an instance of great generosity in the *Roman* Senate, who, had they consulted nothing but their own interest, could not have had a more favourable occasion of falling upon a rival State.

The same year the *Volsci* retook *Verrugo* from the *Romans*, and put the garrison to the sword, the Senate being dilatory in sending succours to it. However the Military Tribunes revenged this loss; they surprised the *Volscian* troops when scattered about the country to plunder, and cut them to pieces.

The Senate kept their ascendant in the election of Magistrates for the next year, and procured the Military Tribuneship for *C. Cornelius*, † *L. Valerius*, *Cn. Cornelius*, and *Fabius Ambustus*, all *Patricians*, and of the best families in the Commonwealth.

Year of
R O M E
ccccxvii
Bef. J. C.
Four hundred
five.

Eigh-
teenth
Mil. Tri.

† A 2d
time.

During their administration, the *Veientes* having insulted the ambassadors of the Republick, the Senate ordered a declaration of war against *Veii* to be immediately proposed to the People. The *Roman* youth, upon the first rumour of this design, began to murmur at it: *The war with the Volsci is not yet ended; we have lately had two garrisons cut in pieces, and the places [though covered] are not defended now, but with much danger. Not a year passes without a battle; and yet, as if we had not fighting enough, we must begin a new war against powerful neighbours that may engage all* *Hetruria* *in their cause.*

The Tribunes did not fail to encourage them in this opposition to the Government. "In truth, said they, the chief war you have to sustain is "that which the Senate has so long carried on against the Commons of "Rome. They send you into the field only to be slaughtered, or else "to keep you at a distance from the City, lest, if they allowed you any re-
"pose,

Year of “ pose, your minds should run upon Liberty and Colonies, or the pub-
 R O M E “ lick Lands, or freedom in giving your votes in the Assemblies, and you
 cccxlvii. “ should concert measures for promoting your own interests, with reference
 Bef. J. C. “ to these matters.”
 Fourhun-
 dred five.

Whenever the Tribunes met with any of the veteran soldiers, they took
 them by the hand, entered into familiar discourse with them, inquired how
 many years they had served, and, making them shew their scars, asked them,
 whether they had room for any more wounds, or could spare any more
 blood for the service of the Commonwealth. By these and other arts of
 management, in which the Tribunes were indefatigable, they made the
 Commons utterly averse from a war with the *Vientes*: so that the *Patrius-
 ans*, perceiving, that their Bill, if now offered, would be rejected, deferred it
 to another time.

However it was agreed, that three of the Military Tribunes should lead
 an army against the *Volsi*. At the approach of it the enemy disappeared,
 and left their country open to be pillaged. The *Roman* Generals here-
 upon divided their forces into three bodies, and made incursions into it
 on different sides. *Fabius* laid siege to *Anxur* (afterwards called *Terracina*)
 a wealthy city, and, having taken it by assault, divided the spoil equally
 among the soldiers of all the three armies, telling his own men, that the
 troops of his Colleagues, by hindering succours from coming to the relief
 of the place, had contributed to the taking of it as much as if they had
 been present in the action. This generosity (not usual of late) to the
 soldiers paved the way for a reconciliation between the Nobles and Com-
 mons. And this was intirely accomplished by a Decree of the Senate,
 soon after passed, *That for the future the Roman infantry should be maintain-
 ed in the field at the publick expence*. Hitherto all the citizens had used to
 go to war at their own charges; and oftentimes, when the campaign was
 too long, the lands, especially those of the poorer *Plebeians*, lay fallow.
 This occasioned borrowing, exorbitant usury, complaints and seditions.
 The Senate, to prevent these disorders, decreed of themselves, and with-
 out being importuned by the People or their Tribunes, that for the future
 the soldiers should have PAY out of the publick money; and that, to fur-
 nish this expence, a new tax should be raised, from which no Citizen what-
 soever should be exempt.

Upon the first news of this *Senatus-consultum*, the People were trans-
 ported with joy; they ran in crowds from all parts to the Senate-house,
 and, taking the Senators by the hand as they came out, said, that now
 indeed it appeared they were justly called *Fathers*; and declared them-
 selves ready to spill the last drop of their blood for their country, so ten-
 der and generous a mother to all her children.

In this universal gladness, the Tribunes of the Commons were remarka-
 ble for their gloomy and envious countenances. Union always hindered
 them from making a figure in the State. They gave out that the Senate
 bestowed largesses at a very cheap rate; that the People must be very blind
 if they did not perceive that this their pay would come out of their own
 pockets;

pockets; nay, that it was not just to make those Citizens who had always served at their own charge, and had compleated the time of their service, contribute to the support of the new soldiers who succeeded them in the armies; and they proclaimed that they would protect all those who should refuse to pay the tax. These declarations made some impresson upon the People; the Senators, nevertheless, went on with their undertaking, and began the contribution themselves, paying their own contingents fairly, according to the real value of their estates; and their example was followed by the chief men among the *Plebeians*.

Year of R O M E
cccxlvi.
Bef. J. C.
Four hundred five.
Eight-
teenth
Mil. Tri.

As, in those days, there was no silver money, carts loaded with weighty pieces of brass were every day seen going to the Treasury with the contributions of the rich: The poorer sort, pleased with this sight, and animated by the commendations given by the Nobles and the soldiers to those of the Commons who submitted to the impost, listened no longer to the declamations of their Tribunes, but ran every one eagerly to pay the Tribute according to his proportion.

C H A P. XXXVI.

§. I. *The Romans invest Veii. In the two first years of the siege (which lasted ten) there is little action. The third year, (350 of Rome) a loss which the besiegers sustain before the place animates the Plebeians with a zeal to push on the siege with vigour. The Senate, for the first time, allow PAY TO THE HORSE.* §. II. *The year following, Sergius and Virginus (two of the Military Tribunes) who have the conduct of the siege, quarrel, and divide the troops between them, which having mischievous consequences, they are both recalled. All the Military Tribunes of this year are obliged to abdicate, and new ones are chosen. Sergius and Virginus (the Generals of the last year) are both fined for misconduct.* §. III. *The Tribunes renew the domestick broils: But all is quietted by the chusing of some Plebeians into the Military Tribuneship. At the next elections the Comitia chuse five Plebeians to that dignity, and only one Patrician. There happens a great mortality among men and cattle. To avert this evil, the ceremony of the Lectisternium is observed.* §. IV. *The Senate take advantage of the People's fears and superstition, to get the Military Tribuneship for Patricians only; pretending that the Gods were angry at the choice, which had been made of Plebeians to that Magistracy. The lake of Alba overflows. This being looked upon as a prodigy, Deputies are sent from Rome to consult the Oracle of Delphos. Six new Military Tribunes are chosen, all Patricians. Some defect being discovered in their inauguration, they all abdicate, and six new ones are chosen, all Plebeians. Their administration not being prosperous, Camillus is named Dictator.* §. V. *He takes Veii by sap.*

Y. of R.
347. Bef.
J. C. 405.

§. I. **T**HE Senate's view, in allotting funds for the payment of the troops, was not only to ease the People, but also to enable the State to carry on the war farther, and maintain it longer.

Eight-
teenth
Mil. Tri.

Year of ROME fore this regulation they could not so properly be said to make war as incursions, which were generally terminated by one battle. These expeditions rarely lasted above twenty or thirty days, the soldiers, for want of pay, not being able to keep the field for a longer time together. But now, when the Senate found themselves in a condition to maintain an army abroad as long as they pleased, they began to form great designs; and, all opposition to a war with the *Veientes* being over, they resolved to besiege *Veii* itself, one of the strongest places in *Italy*, the bulwark of *Hetruria*, and which yielded to *Rome* neither in the courage nor in the wealth of its inhabitants.

The siege was begun in the year 348 of *Rome*, when the *Romans*, for the first time, chose six * Military Tribunes. The States of *Hetruria* had a general council, to debate whether they should unite their forces in the defence of the *Veientes*, or not; but came to no agreement upon this head.

The next year, when *Rome* was again governed by six † Military Tribunes, the siege was carried on with less vigour than in the beginning, part of the *Roman* forces being called away to a war with the *Volsci*.

Livy tells us, that the year following the Republick chose eight Military Tribunes; among whom he reckons *M. Furius Camillus* and *M. Posthumius Albinus*; but in this he seems to have been mistaken: For, besides that the electing of eight was illegal, those two Senators, according to the Capitoline Fasti, were Censors this year, and there were but six ‖ supreme Governors, of whom *Appius Claudius*, grandson of the Decemvir, was one.

Happily for the *Romans*, the *Veientes* at this time chose themselves a King; a proceeding which so displeased the other States of *Hetruria*, who not only abhorred all Royalty, but had a particular dislike to this King, that they came to a resolution to refuse their assistance to the besieged, so long as these should continue under Regal Government.

We may judge of the strength of *Veii* by the length of the siege, which (with various fortune) lasted ten whole years; though perhaps this might be chiefly owing to the frequent changing of the Generals who commanded the *Roman* armies. Doubtless these changes hindered the *Romans* from

Livy, B.

5. c. 1.
Sig. in Fastos. Pig-
nius in
Annal.

* C. JULIUS IULUS, a second time,
M. ÆMILIUS MAMERCINUS,
T. QUINCTIUS CAPITOLINUS,
L. FURIUS MEDULLINUS, a second time,
Q. QUINCTIUS CINCINNATUS,
A. MANLIUS VULSO CAPITOLINUS.
† P. CORNELIUS MÆVUGINENSIS, •
SP. NAUTIUS RUTILUS, a third time,
CN. CORNELIUS CASSUS, a second time,

• C. VALERIUS POTITUS, a third time,
K. FABIVS AMBUSTUS,
M. SERGIUS FIDENAS,
‖ M. ÆMILIUS MAMERCINUS, a 2d time,
M. FURIUS FUSUS,
AP. CLAUDIUS CRASSUS,
L. JULIUS IULUS,
M. QUINCTIUS VARUS,
L. VALERIUS POTITUS, a third time.

making a swifter progress in conquest. Had they been constantly governed by some one of those illustrious Dictators, who were their last refuge in cases of extreme danger, they had soon been Masters of *Italy*: But such is the usual conduct of a Republick, jealous of her liberty; she checks the rapidity of her victorious Generals, lest she herself should become a part of their conquests. It was at this siege that the *Romans* are thought to have first invented those lines of circumvallation and contravallation, which have been since so much in use; at least this is the first time they are mentioned in *Roman* antiquity.

Year of
R O M E
CCCL.
Bef. J. C.
Four hun-
dred two.
Twenty-
first
Mil. Tri.
Plut. Life
of Camil-
lus. •
Livy, B:
5. c. 2.

The Military Tribunes, considering that *Veii* could not be taken but after a long siege, and then rather by famine than force, formed a design of keeping the army in the field all winter, and they began to erect wooden barracks for the men. The soldiers made no opposition to it, chusing rather to live in the camp at the publick expence, than in *Rome* at their own: But the Tribunes of the Commons had no sooner heard of this, than they immediately made it a pretence to raise an outcry against the Senate. They said in every Assembly, that indeed they always feared the gifts of the Senate concealed some fatal poison; that this new pay was only a bait which the *Patricians* had made use of to deceive the People: That it was in truth the price of their liberty: That the Military Tribunes, in detaining the soldiers in the camp during winter, had visibly no other end, but to deprive the Commons of so many votes: That the Senate and *Patricians* would now reign despotically in all the Assemblies: But that they ought to be made sensible, that they governed men who were free; and that it was but fitting the poor Citizen, who daily exposed his life in the defence of his country, should at the end of every campaign enjoy a little rest, and have the satisfaction of seeing his house, his wife, and his children, and of giving his voice in the election of the Magistrates.

Appius, whom the other *Military Tribunes* had left at *Rome* to oppose the Measures of the *Tribunes of the Commons*, being informed of these seditious speeches, called an Assembly, and in a long harangue reproached those *Plebeian* Magistrates, That they studied nothing but to hinder all union between the two Orders in the State: That they sought to treat themselves employment like knavish physicians: That their desire was to have the State always diseased, that they might ever be busy in the cure: That they seemed determined to like nothing which the Senate did, let it be never so advantageous to the People: That as Masters did not suffer their slaves to have any intercourse with the neighbours, lest they should be either well or ill used by them, so the Tribunes for the same reason could not endure that the Commons should have any intercourse with the Nobles, and were enraged to see that the Senate had shewn so much tenderness for the soldiers, as to allow them pay.

He added, "Either we should not have undertaken this siege, or we should continue it. Shall we abandon our camp, the forts we have erected, our towers, our mantelets, and our gabions; and so have all the same works to begin again the next summer? And who will promise

Year of “ your Tribunes, who give you such wholesome advice, that all *Hetruria*
 R O M E “ will not be at length prevailed upon by the *Veientes* to arm and come
 CCCL. “ to their assistance, if we raise the blockade, and give them opportunity
 Bef. J. C. “ to renew their solicitations. They may perhaps displace that Gover-
 Fourhun- “ nor who is so disagreeable to the *Hetrurian* States, or he may perhaps
 dred two. “ for the sake of his country resign his authority. The scene would be
 Twenty- “ much changed, if those States should all unite against us. Who can
 first Mil. “ assure you, that the *Veientes*, thus strengthened, will not next year
 Trib. “ invade and pillage our territory? And what a contempt will it bring
 “ upon the Republick, if the nations bordering upon *Rome*, and now
 “ jealous of her greatness, shall find that your Generals, fettered by new
 “ laws of your Tribunes, are unable to finish a siege, or keep the field a
 “ moment after the fine weather is over? Whereas, on the other hand,
 “ nothing will make the *Roman* People more formidable, than their shew-
 “ ing that no severity of the seasons is able to put a stop to their enter-
 “ prises; and that they are firmly resolved to conquer, or die at the foot
 “ of the enemies ramparts.”

Livy, B. APPIUS was already a match for the *Tribunes of the Commons*, even in
 5. c. 7. their assemblies, when a loss, sustained at the siege, gave him a complete
 victory over them, and produced a surprising concord between the two
 orders at *Rome*. The *Veientes*, in a fall, surprised the besiegers, slew a
 great number of them, set fire to their machines, and ruined most of their
 works. This news, instead of depressing the spirits of the *Romans*, in-
 spired them with new ardor for the continuation of the siege. The richer
 citizens, whose wealth qualified them to be in the first class among the
Roman Knights, but who, not having yet received horses from the Repub-
 lick, were therefore not legally and actually Knights, offered to mount
 themselves at their own expence. Acceptance and a profusion of thanks
 from the Senate rewarded this generous offer. And no sooner did the
 report of it reach the Forum, but the Commons came in crowds to the
 Senate-house with a tender of their voluntary services (in the infantry) to
 be employed before *Veii*, or wherever it should be thought most proper;
 and they promised, in case they were led to *Veii*, never to leave the camp
 till the city was taken. The joy which had before filled the minds of the
Fathers was now made to overflow by this extraordinary and unexpected
 zeal of the Commons. These volunteers were not thanked and praised, as
 the cavalry had been, by some of the Magistrates commissioned to that
 office, nor were any of them called into the house to receive an answer:
 The Senators could not keep themselves within doors; out they ran, and
 every one in particular, by his words and gestures, expressed to the mul-
 titude (that were standing below in the Comitium) the general gladness
 and exultation: *Happy, unconquerable, eternal would Rome be made by this*
concord! They praised the Knights, they praised the Commons, they ex-
 tolled even the day, *the glorious Day!* they confessed the Senate to be out-
 done in kindness and benevolence. The Senators and the People seemed
 to vie with each other in weeping tears of joy; till at length the *Fathers*
 were

were called back into their house; and then they made a Decree, "That the Military Tribunes should, in an *Assembly of the People*, give the due thanks to both cavalry and infantry, and assure them that the Senate would be ever mindful of the affection they shewed for their country, and had come to a resolution to allow pay to all the volunteers." It was at this time, that the cavalry in general began to receive pay out of the publick Treasury.

Year of
R O M E
CCCL.
Bef. J. C.
Four
hundred
two.

The new army of volunteers were conducted to *Veii*, the works, that had been destroyed by the enemy, restored, new ones formed, and provisions conveyed from *Rome* to the camp, with more care and diligence than ever; so that nothing necessary might be wanting to soldiers who deserved so well of the Republick.

Twenty-
first
Mil. Tri.

§. II. THE *Capenates* and *Falisci*, nations of *Hetruria*, nearest to the *Veientes*, and consequently most concerned in their preservation, armed privately, and, joining their troops, surpris'd and attacked the *Romans*. *L. Virginus* and *M. * Sergius*, both Military Tribunes, commanded at this siege. The jealousy, so common between persons in equal authority, had set them at variance: Each had a body of troops under his command, and had as it were a separate camp. The *Capenates* and *Falisci* attacked that of *Sergius* on one side, at the same time that the besieged made a sally, and attacked it on the other. The *Roman* soldiers, thinking they had all the forces of *Hetruria* to deal with, were dismayed, fought faintly, and rather to defend their own lives, than with hopes to vanquish the enemy. It was not long before they gave ground, fell into disorder, and ran away. *Virginus* could have saved his Collegue's troops; his own were ranged in order of battle: But the animosity between the two Generals was so great, that *Sergius* chose rather to perish, than to ask the assistance of *Virginus*; and *Virginus*, on the other hand, would not give him any succour, unless he would send and beg it. The enemy profited by this division: *Sergius's* army fled in disorder to *Rome*, which was but six leagues distant from the camp, and the General went thither himself, not so much to justify his own conduct, as to set forth the baseness of that of his Collegue.

Year of
R O M E
CCCL.
Bef. J. C.
Four hun-
dred
one.

Twenty-
second
Mil. Tri.
*2d time.
Livy, B.
5. c. 8.

The Senate hereupon sent orders to *Virginus* to leave his army under the command of his Lieutenants, and repair immediately to *Rome*, to answer to the complaints which *Sergius* preferred against him. The dispute was managed with great acrimony and the two Military Tribunes ran into invectives against each other before the Senate. Each had his friends there who took his part. The *Conscript Fathers*, to quiet the matter, thought it adviseable to make a decree, that all the Military Tribunes of that year should resign their Magistracies, and the People immediately proceed to a new election of Military Tribunes, who should enter on their office on the *Calends of October*. The four who had been in no fault acquiesced; but the two, on whose account this decree was proposed,

Livy, B.
5. c. 9.

* The other four were

C. SERVILIUS AMALA, a third time,
Q. SULPITIUS CAMERINUS,

|| Q. SERVILIUS PRISCUS,
A. MANLIUS VULSO, a second time.

begged

Year of ROME begg'd of the Senate that they might not be disgraced ; and, when they found that their intreaties were not regarded, they protested against the CCCLI. *Senatus-consultum*, declaring that they would not resign their authority before Bef. J. C. the *Ides of December*, the due time for its expiration.

Four hundred one. The Tribunes of the Commons, who much against their will had been for some time quiet, laid hold of this occasion to break out, and make a figure. They threatened the two Generals to send them to prison, if they did not obey the Senate's orders. *Servilius Ahala*, one of the Military Tribunes, full of indignation at the haughty manner in which these *Plæbeian* Magistrates treated his Collegues : “ As for your threats, I should not be “ displeased with an opportunity of shewing, that you have as little courage “ to execute them, as you have right to utter them. But the decrees of the “ Senate ought to be obeyed ; and, if my Collegues are refractory to its “ commands, I shall name a Dictator, who will be able, without your inter- “ position, to force them to quit their office.”

Virginus and *Sergius*, finding it fruitless to resist any longer, abdicated their Magistracy, and the People proceeded to a new election.

Year of ROME L. * *Valerius*, L. *Julius*, M. † *Æmilius*, Cn. § *Cornelius*, Cæso || *Fabius*, and *Furius Camillus*, were chosen Military Tribunes. And these new Go- CCCLII. vernors had work enough upon their hands. They were to begin anew Bef. J. C. the siege of *Vei*, to keep the *Falisci* and *Capenates* in awe, and to recover Four hundred. *Auxur*, which the *Volsci* had taken the last year. Besides, the Tribunes of the Commons kindled fresh broils, when the armies came to be raised. Twenty-third Mil. Tri. They dissuaded the old soldiers, who were to stay in the city to guard it, from paying taxes, pretending they were exempted from that burden by being enlisted. And the disturbances, occasioned by their seditious harangues, the levies, and collecting the tribute, were so great, that the tribes could not agree in the choice of more than eight new *Tribunes off the Commons*. Two were still wanting. The *Patricians* at first endeavoured to get them supplied out of their body, but in vain. They then caballed to strike at the *Trebonian Law* ‡ ; and in the end prevailed to get two pre- § A 2d time. sons added to the eight, by the appointment of the majority of those || A 2d time. eight. This was in effect to abrogate the *Trebonian Law*. It happened, Livy, B. 5. c. 11. † Vid. supra, c. 30. that among the Tribunes of the Commons there was one *C. Trebonius*, who thought it a duty owing to his name and family to take that Law under his protection. He told the People that their interests were betrayed ; and he brought an odium upon those of his Collegues, who had ventured, of their own authority, to appoint two Tribunes. The People were especially exasperated against three of the eight, *P. Curiatius*, *M. Metilius*, and *M. Minutius* : But these diverted the hatred of the publick from themselves, by turning it against *Sergius* and *Virginus*, the two Generals of the last year, whom they cited to appear in judgment before the People ; and they forgot nothing upon this occasion, that might inflame the minds of the multitude, not only against the two persons accused, but against the whole body of the *Patricians*. They said, “ that though the two Gene- “ rals laid the blame of their ill success on each other, *Virginus* reproach- ing

ing *Sergius* with cowardice, and *Sergius* accusing *Virginus* of treachery, Year of
 " it was not probable, that either of them acted his shameful part, but in R O M E
 " concert with the Body of the *Patricians* : For that the study of the CCCLII.
 " *Patricians* was to protract the war ; to the end, that, the soldiers being Bef. J. C.
 " kept in the field, the Tribunes might not have a sufficient number of Fourhun-
 " voters in the city to support their Bill concerning the *conquered Lands*, or dred.
 " any other Bill that tended to the advantage of the Commons."

Twenty-
 third
 Mil. Tri.

They added, " That the accused had, in effect, been already con-
 demned by the Senate, the *Roman* People, and even their own Col-
 legues. That the Senate, by a Decree, removed them from the Go-
 vernment ; and, when they refused to obey that Decree, their Collegues
 constrained them to it by threatening to name a Dictator. That the
Roman People had created new Military Tribunes, and had directed
 them to enter on their Magistracy, not on the 13th of *December* (the
 usual time) but on the 1st of *October*, because the Republick could no
 longer subsist under the administration of *Sergius* and *Virginus*. And
 yet these men, so universally pre-condemned, had the folly to imagine
 they were sufficiently punished by being reduced to the condition of
 private citizens, two months before the time ; whereas the abridging
 the duration of their Magistracy was only a depriving them of the
 power of doing more mischief, not an infliction of punishment ; seeing
 their Collegues, who had certainly committed no fault, were removed
 from the administration at the same time with them." In conclusion
 they admonished the People, " To recall those dispositions which they
 lately felt, when they saw their routed, affrighted army coming flying to
Rome, accusing, not Fortune, nor the Gods, but only the two Gene-
 rals.—There is not one among you, who did not, that day, detest
 and curse *Virginus* and *Sergius*, and all that belong to them. Is it fit,
 that, after invoking the Gods to punish these criminals, you yourselves,
 when you have them in your power, should shew them any indulgence ?
 The Gods are never themselves the executors of vengeance upon unjust
 men ; it is sufficient that they furnish the injured with an opportunity of
 revenge." The People, irritated by these harangues, would give no ear
 to *Sergius's* Plea of the *Chance of War*, nor to *Virginus's* intreaty, *not to render*
him more unhappy at home, than he had been in the field. They were each of
 them condemned in a fine of 10,000 asses of brass.

This prosecution had the designed effect ; the People were so intent up-
 on it, that they forgot the *Trebonian Law*, and their quarrel with the three
 Tribunes.

§. III. *ROME* at this time received good news from all parts where the
 war was carrying on : But this did not put a stop to domestick seditions. The
 Tribunes of the Commons preferred two laws, the first requiring a partition
 of the lands, the second excusing the People from any more contributions
 towards the soldiers pay : And in fact they would not suffer them to pay
 the

Year of the taxes; so that the legions, being deprived of their subsistence, were ripe for a sedition.

ROM E CCCLII. But all this bustle ended in getting five *Plebeians* into the Military Tribune-ship. *P. Licinius Calvus*, *P. Mælius*, *P. Mænius*, *L. Titinius*, and *L. Publilius*. *Sp. Furius* was the only *Patrician* elected at this time^a.

Fourhundred. [Livy says, that *Licinius*, though a *Plebeian*, and never before in any public office, was an old Senator.] The Tribunes of the Commons were so much rejoiced to see *Plebeians* in the supreme magistracy, that they ceased their opposition to the tax; the soldiers received their pay again, their courage was revived, they took *Anxur* from the *Volsci*, and carried on the siege of *Veii* with perseverance; tho' they suffered much from the severe cold of the winter.

Year of ROM E CCCLIII. At the next elections, the Centuries almost unanimously chose five Military Tribunes out of the *Plebeians*, and only *M. Veturius* out of the *Patricians*.

Bef. J. C. These five were *C. Duilius*, *L. Atinius*, *Cn. Genucius*, *M. Pomponius*, and *Volero Publilius*. To hasten the reduction of *Veii*, the three armies of the last year joined their strength; and they intirely defeated the forces of the *Falisci* and *Capenates*, who came to its relief. So complete a victory made the administration of the *Plebeian* Military Tribunes glorious in the eyes of the People; but it was not happy. The extreme cold of the weather changed on a sudden to excessive heat; and this occasioned a mortality both among men and cattle. The *Sybilline* books being consulted upon this occasion, the Duumvirs pretended to find there a sort of expiation never before used in *Rome*: It was called the *Lectisternium*. They took down the Statues of *Apollo*, *Latona*, *Diana*, *Hercules*, *Mercury*, and *Neptune*, from their niches, and laid them on three beds placed about a table, on which magnificent repasts were served up to those Deities for eight days together. These publick ceremonies were imitated in private families. Every one kept open house for friends and strangers, and conversed friendly even with adversaries. All processes, disputes, and animosities were suspended; nay, the prisoners were released from their chains, to partake of the publick rejoicings; and it was a point of Religion not to confine them again after the festival.

Three hundred ninety-nine. Twenty-fourth Mil. Trib.

Year of ROM E CCCLIV. They took down the Statues of *Apollo*, *Latona*, *Diana*, *Hercules*, *Mercury*, and *Neptune*, from their niches, and laid them on three beds placed about a table, on which magnificent repasts were served up to those Deities for eight days together. These publick ceremonies were imitated in private families. Every one kept open house for friends and strangers, and conversed friendly even with adversaries. All processes, disputes, and animosities were suspended; nay, the prisoners were released from their chains, to partake of the publick rejoicings; and it was a point of Religion not to confine them again after the festival.

Bef. J. C. Three hundred ninety-eight. Twenty-fifth Mil. Trib. Livy, B. 5. c. 13, 14.

§. IV. THE *Patricians*, taking advantage of the present disposition of the People, gave out, that the mortality was owing to the wrath of the Gods, who, they said, were displeased, because in *Comitia*, held with the sacred Rite of observing the Birds, honours were prostituted, and no regard had to the distinction of families. By a religious scruple, thus raised in the minds of the multitude, and by presenting to them, at the next elections, candidates of the greatest dignity and best families, the *Patricians* carried a point which they had much more at heart, than the busi-

^a Livy reports, that the Military Tribunes, now chosen, were all *Patricians* except *Licinius*. But *Pighius* and others are persuaded, that the Historian has here made a mistake; all the names, except *Furius*, being names of *Plebeian* families; and three of them, viz. *Mælius*, *Mænius*, and *Titinius*, being the names of three *Plebeian* Military Tribunes chosen about four years after this time, according to his own account.



The Triclinium of the Ancients.

ness of the war; the recovering to their order the supreme magistracy which they had seemed in danger of losing for ever.

L. *Valerius**, L. *Furius*†, M. *Valerius*, Q. *Servilius*§, Q. *Sulpicius*||, and the famous *Camillus*‡ were chosen to be the six Governors of the Republick. This year the *Romans* had a prodigy to employ their attention. It happened to be a dry summer; but though there was little water in the rivers, springs or marshes, the lake of *Alba*, that seldom rose so high as to the foot of the rocks, which quite surrounded it, swelled on a sudden to such a height as to reach the very tops of those rocks. This strange accident occasioned much discourse in the camp; and, as in long sieges the soldiers of the different parties sometimes become acquainted, they talked of the prodigy from their several posts. One day when they were scoffing at one another in relation to the siege, an old soldier of the *Veientes* cried out in an enthusiastick manner, "*Veii* shall never be taken, 'till all the water is run out of the lake of *Alba*." A *Roman* Centinel, who had great faith in divination, hearing what he said, and, upon inquiry, understanding that he was a Diviner, contrived a stratagem whereby he made him prisoner, and then carried him before the *Roman* General, who sent him to the Senate. The old man affirmed to the Fathers, that what he had declared was agreeable to an ancient tradition written in some prophetick books in his country, and that, if the *Romans* could draw the water out of the lake, *Veii* would be taken: But he advised them to have especial care, that the drains which should be made to carry it off did not convey it to the sea. Though the Senate were not disposed to an implicit faith in the diviner, yet they thought the matter of such importance, as to send a deputation of three *Patricians* to *Delphos* to consult the Oracle upon it.

Before the return of the Deputies, the People had chosen six new Military Tribunes, all *Patricians*. The *Romans*, during the siege of *Veii*, found themselves obliged this year to make head not only against the *Volsci*, *Falisci*, and *Capenates*, but against the *Tarquintenses*, new enemies from *Uetruria*, who had committed hostilities in the *Roman* territory. A. *Posthumus* and L. *Julius* (two of the governors) who had staid in *Rome*, requested leave to raise troops to disperse them, and, when the Tribunes of the Commons obstructed the levies, put themselves at the head of a small number of volunteers, and fetching a great compass about surprised the *Tarquintenses*, as they were returning home, made a terrible slaughter of them, and recovered the booty they had seized.

In the mean time the three *Patricians* returned from *Delphos*; and, to the astonishment of the Senate and People, the answer of the *Pythonefs* was perfectly conformable to the prediction and advice of the old diviner, whom, thereupon, they advised with concerning the necessary expiations

L. JULIUS IULUS, second time,
L. FURIUS, fourth time,
L. SERGIUS,

A. POSTHUMIUS,
A. MANLIUS, third time,
P. CORNELIUS, second time.

Year of
R O M E
CCCLV.
Bef. J. C.
Three
hundred
ninety-
seven.
Twenty-
sixth
Mil. Tri.
Plat. life.
of Cam. p.
130.
* A 5th
time.
† A 3d
time.
§ A 2d
time.
|| A 2d
time.
‡ A 2d
time.
Livy, B.
5. c. 15.
Val. Max.
B. 1. c. 6.

Year of
R O M E
CCCLVI.
Bef. J. C.
Three
hundred
ninety-
six.
Twenty-
seventh
Mil. Tri.
Livy B. 5.
c. 16.
Plut. in
Camillus,
p. 137.

Year of R O M E ccclvi. B. J. C. Three hundred ninety-six. Twenty-seventh Mil. Tri. Kircher, B. 3. Vet. Lat. Livy, B. 5. c. 17. 18. Year of R O M E ccclvii. B. J. C. Three hundred ninety-five. Twenty-eighth Mil. Tri. c. 19.

to render the Gods propitious. Then the *Romans* sent out pioneers to make a canal, which might carry off the waters of the lake, and convey them all over the fields, by trenches. [This fine work subsists to this day, and the water of the lake *Albano* which runs along *Castel Gandolfo*, passes through it.] But the oracle had likewise directed the *Romans* to re-establish the neglected ceremonies of religion, and to begin those again which had not been regularly performed. The first they interpreted of the *Feria Latina*, of late neglected; and they renewed the observation of them. And as to the second it was discovered, that the election of the present Military Tribunes had been defective, with regard to the *Auguries*; whereupon they all abdicated, and after a short *Inter-regnum* were succeeded by six new ones, all ^a *Plebeians*. Their administration was not prosperous. *Atinius* and *Genucius*, two of them, marched with some troops to oppose an inundation of *Hetrurians*, who, not by order, but by permission of their Governors, were coming to attack the *Roman* intrenchments before *Veii*: The Tribunes fell into an ambush; *Genucius* was killed; and *Atinius*, though he rallied his men and retreated, durst not any more face the enemy in the open field. The news of this disaster so terrified the army before *Veii*, that it was with difficulty hindered from disbanding. *Rome*, in a yet greater consternation, had recourse, as in the most pressing and general calamities, to a Dictator; appointing *M. Furius Camillus* to that supreme dignity. This elevation he owed wholly to the publick danger and distress: A time when superior merit, without canvassing or intriguing, naturally gets into its right place. The change of the commander made a sudden change in every thing,—New hope—fresh courage—fortune seemed to turn at once in favour of the city ^b. *Camillus*, having named for General of the Horse *P. Cornelius Scipio*, and having rigorously punished those cowards, who on the late alarm had fled from the camp, he rode thither with all expedition to revive the courage of the soldiers; which done, he returned to the city to raise a new army. The People strove who should first list themselves under his banners; every body was for going to the wars with a General whom victory had never deserted. Nay the allies, (the *Latins* and *Hernici*) of their own accord, sent to offer him a strong supply of their ablest youth. The Dictator marched from the city against the *Falisci* and *Capenates*, whom, in the territory of *Nepete*, he

^a *Livy* tells us, that old *Licinius Calvus*, the first Commoner ever raised to the Military Tribuneship, was now a second time named to that dignity by the majority of the *Prerogative Tribe*, i. e. of the Tribe to whose lot it fell to vote first; but at his request, pleading age and infirmities, the People chose his son in his stead. From this passage in *Livy*, it appears that the order esta-

lished by *Servius Tullus*, in voting, had been changed; and that the Classes and Centuries were now blended with the Tribes. See p. 93, 94, 238.

^b *Omnia repente mutaverat imperator mutatus, alia spes, alius animus hominum, fortuna quoque alia urbis videri. Liv. L. 5. c. 19.*

P. LICINIUS,
L. ATINIUS, second time,
P. MÆLIUS, second time.

L. TITINIUS, second time,
P. MÆNIUS, second time,
C. GENUCIUS, second time.

defeated in a pitched battle ; and, after this victory, which left him the country open, he repaired to the camp before *Veii*, restored military discipline, which of late had been very much slackened, invested the place more strictly, and strengthened his lines by several additional forts.

As the besieged defended themselves with no less courage than before, and as *Camillus* perceived that he should not be able to carry by assault or open force a town which had a whole army for its garrison, he had recourse to mines and sapping. His pioneers, whom he divided into six companies, relieved one another ; so that the work being carried on without interruption, they, in a short time, opened a passage under ground to the very citadel, the besieged suspecting nothing of the matter. The Dictator, then thinking himself sure of conquest, sent to the *Conscript Fathers*, to know how they would have the spoils of the city disposed of. When the question came to be debated in the Senate, old *Licinius*, whose opinion was the first asked by his son (now Military Tribune) answered, that he thought, proclamation should be made, *That whosoever of the citizens was desirous of sharing in the plunder of Veii, might repair to the Dictator's camp.* *Appius Claudius* spoke warmly against this bounty, as an unprecedented prodigality, and inconsistent with equity and sound policy : *That if the Senate were absolutely against bringing the whole produce of the spoil into the publick treasury (though much exhausted) yet, at least the soldiers ought to be paid out of it, and the Commons be thereby, in some measure, eased of their burden of taxes ; and that by this regulation every family in Rome would have some advantage from the booty.* To this *Licinius* replied, *That the money, so reserved and appropriated, would be a source of endless discontent, occasion impeachments, and seditions, and motions for new Taxes.* *That it was better to conciliate to the Senate the good-will of the multitude, by a bounty, which would relieve their indigence (caused by the taxes they had paid for ten years together) and would make them taste the sweet fruits of persevering in a war, in which they might almost be said to have grown old.* *That what each man should take with his own hand from the enemy, and bring home, would give him more pleasure, than a gift of much greater value, from the Senate.* *That, as it was only to avoid the bringing odium upon himself the Dictator had referred the matter to the Senate, so the Senate, from a like regard to themselves, ought to abandon the whole spoil to the people, and suffer every man quietly to enjoy what the fortune of the war should give him.*

This advice, being thought the safer, prevailed ; a proclamation was issued conformable to it, and hereupon prodigious numbers of the citizens immediately flocked to the Dictator's camp.

Camillus, when he had taken the Auspices, and ordered his troops to be ready for an assault upon the place, is said to have made the following vow and prayer : O Pythian Apollo, it is by thy inspiration, and under thy guidance, that I am going to assault the city of *Veii* ! and I do therefore vow to dedicate to thee the tenth part of the spoil which shall be taken in it. And, O Queen Juno, who now residest in *Veii*, vouchsafe to follow us victorious to our city, which shall thenceforward be thy city, where thou shalt possess a

Year of
ROM E
CCCLVII.
Bef. J. C.
Three
hundred
ninety-
five.
Twenty-
eighth
Mil. Tri.

Livy, B.
5. c. 20.

c. 21.

Year of temple worthy of thy greatness ! To engage the whole attention of the be-
R O M E sieged, so that they might as late as possible discover their danger from
CCCLVII. his mine, *Camillus* (whose army was now numerous enough for the purpose)
Bef. J. C. caused an assault to be made on all sides of the place at once. This
Three drew the citizens from all quarters to the ramparts, wondering what
hundred should be the cause of so sudden and furious an attack from the *Romans*,
ninety- who for some days had been quite still. While the besieged were in this
five. amazement, the *Roman* soldiers, who filled the mine, rising up in the
Twenty- middle of the temple of *Juno*, which stood in the citadel, sallied forth,
eighth and spread themselves in several bodies through the town. One fell upon
Mil. Tri. the rear of those who were defending the walls, another broke down
Livy, B. the gates ; and the whole *Roman* army rushed into the place, putting all
5: c. 22. to the sword who did not surrender their arms. It is said, that the Dic-
 tator, when he beheld the spoil, far exceeding this expectation both in
 quantity and value, lifted up his hands to heaven, and prayed, *That, if*
his prosperity, and the prosperity of the Roman People, should appear to Gods
or Men excessive, the envy might be all spent upon him, rather than the publick
should feel even the smallest effects of it : and that after this prayer, as he
 was turning himself to the right, he fell to the ground ; an accident, says
Livy, which, after the condemnation of *Camillus* and the destruction of
Rome by the *Gauls*, was interpreted *into* an omen foreboding those events.
 The next day the prisoners of free condition were sold to the best bidder ;
 and the money arising from thence the Dictator transmitted into the pub-
 lick treasury, much to the dissatisfaction of the soldiers ; though this was
 the only part withheld from them of the produce of the spoil. Nor did
 they hold themselves obliged to the Dictator for what they brought away
 with them, because from a selfish motive he had referred a matter to the
 Senate which it was in his own power to determine ; nor did they think
 themselves obliged to the Senate, but to the two *Licinii* only, father and son,
 who had made themselves the advocates of the People on this occasion.

When the conquerors had emptied *Veii* of all the riches that had be-
 longed to *men*, they began to remove what belonged to the *Gods*, and
 to remove the *Gods* themselves ; but this more like worshippers than
 plunderers. For they selected, out of the whole army, some of the
 youngest men, to whom, when their bodies were washed perfectly clean
 and cloathed in white, it was given in charge to transport Queen *Juno*
 to *Rome*. They entered her temple with reverence, and, at first, but
 lightly touched her, to see how she would take it : Because, among the
Etruscans, it was not customary for any but a priest of a particular family
 to handle that image. As she gave no sign of anger, one of the lads,

* According to *Plutarch*, *Camillus* prayed,
that the publick might suffer nothing, and be
himself very little ; and that he thought his
 prayer answered, by his falling down with-
 out hurting himself. Mr. *Dacier* is much dis-
 pleased with this account, unworthy of the

Hero. Both Mr. *Dacier* and *Gronovius* sup-
 pose that *Plutarch* did not understand *Livy's*
 words : *Uteam invidiam lenire suo privato*
incommodo [potius] quam minimo publico
populi Romani liceret.

in a civil manner, then asked her. *Are you willing to go to Rome, JUNO?*— *Yes, yes,* (answered the rest, all together) *she is willing; she gives a nod of assent:* And hence (says *Livy*) a fabulous report, that she herself made the answer in words. *He adds,* Certain it is, that she was easily moved from her place, and that they got her to *Rome* with as little trouble, as if she had followed them thither on foot. They conveyed her safe and sound to the *Aventine* hill, whither *Camillus* had invited her, and which was thenceforward to be the seat of her residence for ever; and there he dedicated a temple to her in discharge of a vow, which, to gain her favour, he had formerly made. Such, after a ten years siege, was the fate of *Veii*, the richest city of *Tuscany*; it was at once despoiled of its riches, its inhabitants, and its gods.

Year of
R O M E
ccclvii.
Bef. J. C.
Three
hundred
ninety-
five.
Twenty-
eighth
Mil. Tri.

C H A P. XXXVII.

§. I. *The People are much displeased with Camillus.* §. II. *The next year (the Republick being under the Government of six Military Tribunes, all Patricians) a Tribune of the Commons proposes, that half of the Senators, Knights, and People of Rome should remove to Veii, and settle there. After much struggle Camillus and the other Senators bring this project to nothing.* §. III. *Camillus, chosen one of the six Military Tribunes for the year following, has the conduct of the war against the Falisci. He besieges their capital city, and punishes a Schoolmaster, who would have betrayed the place to him. The Falisci submit to the Romans.* §. IV. *The People, when the time comes for electing their Tribunes, chuse to the same office those of the old ones who had appeared for the proposal of removing half the People to Veii. On the other hand, the Patricians get Consular Government restored. The project of going to Veii is debated in an Assembly of the People, and rejected by a majority of only one tribe. The Senate decrees seven acres of the lands of Veii to every freeman of Rome.* §. V. *The Volturnenses, a People of Maritima, take arms against Rome. The Consuls, being seized with a contagious distemper, resign the Fasces. An inter-regnum ensues. And then Six Military Tribunes are elected to the government.*

§. I. **T**HE length of the siege, the dangers attending it, the uncertainty of success, the importance of the conquest, all these made the news of the taking of *Veii* be received at *Rome* with the utmost transport of joy: The temples were filled with *Roman Ladies*, and four days were set apart for a publick thanksgiving to the Gods; which had never before been practised in the Republick upon the greatest success. The very triumph of the Dictator had something new and singular in it. *Camillus* appeared in a stately chariot drawn by four horses all milk-white, and he had coloured his face with vermillion.

White horses, since the expulsion of the Kings, had been allowed only to *Jupiter* and the *Sun*; and it was with vermillion the statues of the Gods were

Livy, B.
5. c. 23.
Plut. in
Camillus,
p. 132.
Plin. B.
33.

Year of ROM E. CCCLVII. Bef. J. C. Three hundred ninety-five. Twenty-eighth Mil. Tri. Liv. B. 5. c. 23. Plut. in Camillus, p. 153.

were commonly painted. In the midst therefore of the praises which the People gave the Dictator, they could not without a secret indignation behold him affecting a pomp, which in a manner put him upon a level with the Gods. Vanity so impious much diminished the esteem and affection of the multitude for him; and he had not long resigned his Dictatorship, before he became perfectly odious to them. What partly occasioned this was the vow which, just before ^a the assault upon *Veii*, he made (as we have before observed) to consecrate the tenth part of the booty to *Apollo*. Amidst the hurry and confusion of the plundering he remembered not his vow. And when it returned to his mind, [a year after] there could no easy means be found to make the soldiers give back the tenth of what they had got. In this perplexity the Senate proclaimed, that all who were desirous to have a clear conscience, and secure prosperity to their families, should honestly compute the value of their booty, and bring the tenth part of that value to the Quæstors, in order to make the God a present suitable to his majesty, and proportioned to the benefits received from him.

This contribution, exacted at a wrong time, alienated the hearts of the People from *Camillus*. His vow, they said, was to give *Apollo* the tenth of the enemy's spoils, but that he performed it by tithing the goods of his fellow-citizens.

Year of ROM E. CCCLVIII. Bef. J. C. Three hundred ninety-four. Twenty-ninth Mil. Tri. Liv. B. 5. c. 24.

§. II. THE centuries chose six Military Tribunes, all *Patricians*, for the new year. In the beginning of their administration, the *Capenates* sued for peace and obtained it. The war with the *Falisci* went on. In the mean time, to quiet the discontented people at home, the Senate decreed, that a colony of 3000 *Romans* should be sent into the country of the *Volsci* (who had lately made submissions) each man to have about three acres and a half of land: But, when the time came for enrolling the names of those who were to form the colony, the *Plebeians* expressed a contempt of the Senate's bounty: *Why should they be sent into banishment among the Volsci, when the fair city of Veii, and its territory, more fertile and more ample than that of Rome, were before their eyes?* Nay *SICINIUS*, one of the Tribunes of the Commons, preferred a bill for removing one half of the Senate and People of *Rome* to *Veii*, (a city better situated and better built than *Rome*) yet so, that the two cities should form but one Commonwealth. He added, That the *Romans* would, by this means, more easily preserve their conquests. The chief nobles opposed his project with all their might; (and they had gained over to their side some of his Collegues.) They said, they would sooner die than suffer so mischievous a bill to pass into a Law: *A people so prone to civil dissension, when dwelling together in ONE and the same*

^a *Plutarch* says, that *Camillus* made this vow before he left *Rome* to go to the siege of *Veii*.

P. CORNELIUS COSSUS,
P. CORNELIUS SCIPIO,
M. VALERIUS, second time,

K. FABIUS, third time,
L. FURIUS, fifth time,
Q. SERVILIUS, second time.

city,—what will be their temper when living separate in two?—Would any man in his wits prefer a conquered city to his own native city which had conquered it?—Would you have Veii, after its being subdued, exalted to be more considerable than it was before its reduction?—You may leave us here, if you please; but nothing shall ever engage us to relinquish the place of our birth, and, in order to follow the now founder, Sicinius, to Veii, forsake our God Romulus, the son of a God, and the father and founder of Rome.

Year of
R O M E.
ccclviii.
Bef. J. C.
Three
hundred
ninety-
four.

In the struggle about this bill, nothing restrained the populace from blows and violence, but the deep-rooted respect which they had for the principal Senators, who, whenever a shout was raised for beginning a scuffle, presented themselves to their fury, bidding them *assault, strike, kill*.

Twenty-
ninth
Mil. Tri.

CAMILLUS went about, loudly declaiming, *That it was no wonder the people were seized with a madness, seeing they had nothing so little at heart as the performance of vows to the Gods, after receiving the favours, to obtain which the vows had been made. He would say nothing of the ALMS given to Apollo, instead of the TENTH of the spoil: Each of the individuals had bound himself; so the state was free. But he was obliged in conscience to let them know one thing: That, though no mention had hitherto been made, but of the moveables, yet his vow to Apollo had comprehended the city of Veii, and all the territory belonging to it. The Senate, [pretending to be] perplexed with this new scruple, referred it to the Pontiffs; and these (in concert with Camillus) declared, that a tenth of whatever had belonged to the Veientes before the Dictator made his vow, and had, after his making the vow, fallen into the power of the Romans, ought to be sacred to Apollo. In consequence of this judgment, the city of Veii and its territory were appraised, and a tenth of the value was given out of the publick treasury to the Military Tribunes, to purchase gold with it, that a golden cup, or vase, large and maffy, might be sent as a present to Apollo. Gold being scarce, the ladies agreed among themselves to lend their toys and ornaments to the State. Never were the Fathers better pleased with any thing, than with this complaisance of the sex; and, in return for it, a decree was made, that they should have the privilege of riding in covered chariots to the sacrifices and publick games, and in open ones at all other times.*

Livy, B.
5. c. 25.

The business of the vow thus settled, the Tribunes of the Commons began to stir again, and the multitude to vent their anger against all the principal Senators, and especially Camillus—*That by their Reservations, and their Consecrations, they had reduced the spoil of Veii to nothing. And, finding that the affair of removing to Veii was not like to be determined this year, they chose again, to the Plebeian Tribuneship, the same men who had preferred the Bill. On the other hand the Senate, by employing all their influence, got those Tribunes rechosen who had opposed the Bill; so that there was little change in the college.*

§. III. By a like exertion of their utmost strength, in the Comitia held for electing Military Tribunes, the Fathers prevailed to have Camillus chosen to be one of the number. They pretended to want an able general for the war, but their real aim was to provide themselves with a champion

able

Year of able to make head against the *Tribunes of the Commons*, resolutely bent
 R O M E upon an *Agrarian Law*, and an equitable partition of the lands of *Ven.*
 ccclix. The five Collegues given him were all *Patricians* *. Things remained quiet
 Bef. J. C. 'till *Camillus* had taken the field; and even then the *Plebeian Tribunes*
 Three made little progress in their affairs; while he, their most formidable ad-
 hundred versary, acquired new glory by his conduct in the war against the *Falisci*.
 ninety- The enemy for some time kept themselves shut up in *Falerii*, 'till the de-
 three. valuations made by the *Romans*, in the territory about it, provoked them at
 Thirtieth length to come out: Their fear however hindered them from advancing far-
 Mil Tri. ther than about a mile from the town, and they incamped in a place so strong
 by nature, that they thought it needed no other fortifications. *Camillus* ne-
 vertheless attacked them there, defeated them, and took their camp. The
 whole spoil he put into the *Quæstors* hands, much to the discontent of the
 soldiers; yet he kept them in awe by the strictness of his discipline; so
 that they hated him for the very virtue they admired in him. After this
 victory he invested *Falerii* and surrounded it with lines, but at so great a
 distance from the walls, that there was more than sufficient room for the
 besieged to come abroad and take the air without danger.

The *Falisci* had brought from *Greece* the custom of committing all their
 children to the care of one man, who was to instruct them in all sorts of
 polite learning, and see them perform the exercises proper for their age.
 The children had used often to walk with their master without the walls
 of the city, before the siege; and their fears of an enemy, who kept quiet,
 and at such a distance, were not great enough to make them discontinue
 the practice. But the present school-master proved a traitor. At first he
 led the youth only along the walls, then a little farther, and at length took
 his opportunity, and brought them through the *Roman* camp, quite to the
 General's tent; whom he accosted with telling him, that by putting those
 boys, the sons of the principal citizens, into his hands, the city in effect
 was delivered up to him. *Camillus*, struck with horror at the treachery,
 ordered his *Lictors* to strip the traitor, tie his hands behind him, and then
 furnish the youth with rods, to whip him back again into the city. A lit-
 tle before, the *Falisci* had protested they would rather undergo the fate of
 the *Verentes*, than imitate the cowardice of the *Capenates*: But now they
 ardently desired peace; so deep an impression had the probity of *Camillus*
 made upon them. The Deputies whom they sent to him on this business
 he suffered to proceed to *Rome*; where they addressed the Senate in the fol-
 lowing manner: "You and your General have gained a victory over us,
 " which cannot be displeasing to Gods' or Men. We submit ourselves to
 " you, out of a persuasion that we shall live more happy under your laws
 " than under our own. The *Romans* and *Falisci* are this day giving two
 " great examples to mankind; you, in preferring an honourable action to

Plut. Life
 of Camil-
 lus, p.
 133, 134.
 Livy, B.
 5. c. 27.

* M. FURIUS CAMILLUS, third time,
 L. FURIUS, sixth time,
 C. ÆMILIUS,

Sp. POSTHUMIUS,
 P. CORNELIUS SCIPIO, a second time,
 L. VALERIUS POPLICOLA.

“ victory ; we, in rather yielding to the power of virtue, than the force of
“ arms.” *Camillus* demanded of the *Falisci* a year’s pay for his troops, and, Year of
R O M E
ccclix.
Def. J C.
Three
hundred.
ninety-
three. having on that condition granted them peace, led back his army to *Rome*.

The applauses, now given to *Camillus* by his fellow-citizens, were much
sincerer than those he had formerly received, when the white horses drew
his triumphal chariot through the city. And the Senate, ashamed per-
haps of having delayed to discharge his vow to *Apollo*, deputed, at this
time three *Patricians*, *L. Valerius*, *L. Sergius*, and *A. Manlius*, to con-
vey the golden vase to *Delphos*. The long ship, on which these deputies
embarked, was intercepted by some pirates from the isle of *Lipara* ; and
thither the captors carried their prize. But it luckily happened that *Ti-
mastheus*, this year chief magistrate of *Lipara*, had as much religion as
any *Roman*. For when he understood, that the treasure which had fallen
into the hands of his people was an offering designed for *Apollo*, in dis-
charge of a vow ; and when he had farther learnt, that the three *Romans*
were ambassadors ; he not only entertained them hospitably, but in per-
son, with a squadron of ships (the pious pirates consenting to it) conveyed
them to *Delphos*, and from thence (when they had made their offering) safe
back to *Rome* : For which generous and religious proceeding, he received,
in virtue of a decree of the Senate, rich presents from the Publick ; and
they made a league of hospitality with him.

War with the *Æqui* was carried on this year, under the conduct of
Æmilius and *Posthumius*, with such various success, that neither the citi-
zens at *Rome*, nor the soldiers in the field, could, for some time, tell which
side had the better. At first when the two Generals acted in conjunction,
they gained a victory ; but afterwards when, separating, *Æmilius* thought
fit to go to garrison *Verrugo*, and *Posthumius* to lay waste the enemies bor-
ders, the troops of the latter, carelessly secure, and marching in disorder,
were by the *Æqui* surpris’d, struck with terror, and put to the rout. They
fled to some neighbouring hills ; and their fright communicated itself to
the garrison at *Verrugo*. *Posthumius*, as soon as he had rallied his men,
and posted them so as to be out of danger, reproached them bitterly with
their coward-like behaviour. They confess’d their fault, begged with
earnestness to be instantly led to the attack of the enemy’s camp (which
was within sight, in the plain below) and declared they would submit to
any punishments if they did not force it before night. The General com-
mended their ardor, bid them refresh themselves, and be ready at the fourth
watch. As the *Æqui*, to hinder the *Romans* from escaping to *Verrugo*,
were guarding the road that led thither, the two armies met in that road.
The battle began by moonlight, and the shouts of the combatants reaching
Verrugo, the troops there, imagining that *Posthumius*’s camp was assauled,
took a fright, and, notwithstanding all that *Æmilius* could say, fled for re-
fuge to *Tusculum*. Thence flew a report to *Rome*, that *Posthumius* was kil-
led, and his army defeated : But a letter, crowned with laurel, arriv’d from
that General to the Senate presently after, with an account of his having
obtained a complete victory.

Year of R O M E ccclix. Def. J. C. Three hundred ninety-three.

§. IV. THE bill for removing the *Veii* being still in suspense, the *Commons*, when the time came for electing their Tribunes, were for continuing those of the old ones who had proposed the bill; and the *Patricians* endeavoured to get those re-elected who had opposed it. The former prevailed in their own *Comitia*. The promoters of the law were re-chosen, and the opposers excluded: Upon which the *Fathers* in revenge made a decree that Consuls should be chosen for the next year: *I. Lucretius Flavius* and *Servius Sulpitius Camerinus* were by the Centuries raised to that dignity.

Thirtieth Mil. Tri. Livy, B. 5. c. 29. Year of R O M E ccclix. Def. J. C. Three hundred ninety-two.

Under the new administration, *Sicinius* renewed his intrigues with more zeal than ever, to get the Law passed for removing half of the People and of the Senate to *Veii*. *A. Virginius* and *Q. Pomponius*, two of the last year's Tribunes of the Commons, who had distinguished themselves by their opposition to the law, were cited to appear before the tribes; and, notwithstanding all the influence of the Senate in their favour, they were fined * 10,000 Asles of brass: A sentence which gave great offence to the *Fathers*. *Camillus* loudly inveighed against the Commons, who, he said, were so blind, as not to see, that by their iniquitous sentence they had overturned the tribunitian power; in as much as they had deprived their Tribunes of the privilege of INTERCESSION. But they derided themselves, if they imagined the Senate would endure an unbridled licentiousness in any of those magistrates. That, if the violence of some of the Tribunes, could not be repelled by the help of their Collegues, the *Fathers* would † find another weapon! He likewise reproved the Consuls for quietly suffering the two Tribunes to be oppressed, who had done nothing but by advice of the Senate, and had trusted to their promised protection. And, as to the Law in question, he never ceased exhorting the *Fathers* to oppose it with all their might; advising them to go down into the Forum (when the Tribes should be assembled to determine the affair) as men prepared to fight in defence of their native land, the altars of their household Gods, and the temples of the Gods of their Country. He added, “ Were I at liberty to think of my own glory, when that of my country is in question, what could flatter my ambition more, than to see a city, which I have conquered, inhabited by *Romans*, who would be so many living witnesses of my victory, and where every object would be a monument of my glory? but I think it would be impious to re-people a city whose Gods have deserted it, and shameful to prefer before your own country a country conquered by it.”

The Senators, old and young, moved by these exhortations, went all in a body to the Forum, when the Law was to be proposed, and dispersing themselves into their respective Tribes, with tears in their eyes, conjured the People not to abandon “ that city where they were born, and in defence of which both they and their ancestors had so bravely and so successfully fought.” Then pointing to the Capitol, the Sanctuary of *Vesta*, and to the other Temples all around, “ Can you consent that the *Roman* People should be driven, like exiles, from their guardian Gods, and their native country, to inhabit a city not long ago peopled by their enemies? Better had it been never to have taken *Veii*, than that *Rome* should be

“ thus

Light-
seventh
Consul-
ship.

* 321. 55.
10d.
Arbuth-
not.
Livy, B. 5.
c. 30.

† Create a
Dictator.

“ thus deserted.” As the *Patricians*, abstaining from all violence, employed prayers and intreaties only on this occasion, and made frequent mention of the Gods, they, by raising a religious scruple in the minds of many, prevailed to have the law rejected, though it was only by a majority of one Tribe. And now the Senate were so pleased with this victory, that the next morning, at the request of the Consuls, they made a decree, whereby they assigned seven acres of the lands of *Vent*, not only to every father of a family, but to every single person of free condition, that the former might be enabled to educate their children, and the latter be induced to marry.

§. V. ON the other hand, the People, obliged by this liberality, made no opposition to the election of Consuls for the next year. *L. Valerius Potitus* and *M. Manlius*, (afterwards *Capitolinus*) were the persons chosen; and they began their year by performing a vow made by *Camillus*, when Dictator, to celebrate the great Games. (Of these there were two sorts, the one celebrated every year in the month of *September*, in honour to *Jupiter*, *Juno*, and *Minerva*; the other called votive, or extraordinary, had no fixed day appointed for them, and were celebrated in honour of *Jupiter* only.)

The *Romans*, commanded by their two Consuls, had this year a battle with the *Aequi*, whom they presently routed. *Valerius*, because he pursued the enemy farther, and killed more of them than *Manlius* did, was more honoured than he; *Manlius* had only an *Ovation*; *Valerius* a *Triumph*. In this same year, war was declared against the *Volsinenses* and *Salpinates* (nations of *Hebruria*) who, joining their forces, had, without provocation, made an incursion on the lands of the Republick. No army, however, could, for some time, be led against these new enemies, because a famine and pestilence, occasioned by an excessive hot and dry season, then raged in the *Roman* territory. *C. Julius*, one of the Censors, being carried off, *L. Cornelius* was substituted in his place, a thing afterwards deemed inauspicious, because *Rome* was taken in that Lustrum: Nor after this time did the *Romans* ever substitute, in the place of a Censor who died in his office, another person to be colleague to the survivor. The Consuls too falling sick, the Senate decreed that they should abdicate; and an Interregnum ensue. *Camillus* was created Inter-rex, and succeeded by *Cornelius Sulpio*, and he by *Valerius Potitus*. This last held an assembly for the election of six Military Tribunes, that, in case some of the supreme Magistrates should be seized with the distemper, there might yet be others in a condition to take care of the publick.

C H A P. XXXVIII.

§. I. *Camillus is cited to appear in judgment before the People. To avoid a publick condemnation he goes into exile.* §. II. *Shortly after, Clusium in Hebruria being besieged by the Gauls under King Brennus, the inhabitants implore the assistance of the Romans. Three brothers of the Fabian family*

are sent Ambassadors from Rome to mediate a peace. They rashly transgress the law of nations. Brennus, in anger, raises the siege, and marches towards Rome. §. III. He gives the Romans a total overthrow on the banks of the Allia. The third day after the battle, he enters Rome, burns the City, and invests the Capitol. §. IV. Camillus, though at this time an exile, is, by a commission from the Senate, in the Capitol, constituted Dictator. §. V. The Gauls attempt to scale the Capitol in the night. Their approach to the ramparts is discovered by the cackling of some geese. The assailants are repulsed, chiefly by the bravery of M. Manlius. §. VI. Both besiegers and besieged being distressed by famine, they enter upon a treaty. The Romans are to purchase a peace with gold. While the gold is weighing, Camillus arrives: He forces the Gauls to raise the siege, and quit the Country. §. VII. Rome being destroyed, the Tribunes renew the proposal of removing to Veii. Camillus (who is continued in the Dictatorship the whole year) opposes it with great zeal; but an accidental word of a Centurion is what determines the People to stay and rebuild the city. §. VIII. Before the end of the next year (during which the Commonwealth is governed by six Military Tribunes) the CITY is intirely REBUILT.

Year of
R O M E
cccl. xii.
Ref. J. C.
Three
hundred
ninety.

Thirty-
first.
Mil. Tri.
* A 7th
time.
† A 2d
time.
Liv. B. 5.
c. 32.

Plut. in
Camillus,
P. 134.
lb p. 135.
Liv. B.
5. c. 32.

§. I. **L.** LUCRETIUS, Serv. Sulpitius, M. Æmilius, * L. Furius, Agr. Furius, and † C. Æmilius, the six new governors of the Republic, entered on their office the first of July. The war with the *Volsinenses* fell by lot to *Lucretius* and *Æmilius*; that with the *Salpinctes* to *Agrippa Furius* and *Sulpitius*. A total defeat, suffered by the *Volsinenses*, taught them prudence, so that they begged a truce from the *Romans*; which was granted for twenty years upon conditions. As for the *Salpinctes*, they were so terrified by the defeat of the *Volsinenses*, that they durst not appear in the field, but left their country open to be pillaged.

At this time, one *Cæditius*, a man of the lowest rank, pretended to have heard a miraculous voice, which pronounced distinctly these words, *Go to the Magistrates, and tell them, The Gauls draw near*^a. The meanness of the man made the Military Tribunes despise the warning; and, notwithstanding the daily conquests made by the *Gauls*, the *Romans* appear plainly, by their manner of treating the great *Camillus* (their only General capable of making head against such formidable neighbours) to have had no apprehension of any danger from them. *Apuleius*, one of the *Tribunes of the Commons*, summoned him to appear before an *Assembly of the People*, and answer to the accusation of having robbed the publick of some of the riches of *Veii*, of which charge certain brass doors, seen in his house, were said to be a proof.

Camillus was, at this time, in excessive affliction for the death of a son; and therefore, on receiving the summons, he sent to the great men, formerly his Collegues in office, to his friends, his clients, and the chief

^a *Camillus* afterwards erected a temple to the unknown Divinity who made this revelation; and the *Romans* coined for him the name of *Aius Locutius*.

men of his Tribe, to come to him at his house. His purpose was to found their thoughts and dispositions. When the Assembly, which was very numerous, had considered of the matter, they answered, that they would willingly pay the fine in which he should be condemned; but that it was not in their power to acquit him. Hereupon, he chose rather to banish himself from *Rome*, than present to undergo the shame of a condemnation. 'Tis said, that when he came to one of the gates of the city, he stopped, and, turning towards the capitol, prayed to the Gods, that his ungrateful countrymen might quickly have cause to repent their having repaid his services with so sharp an outrage. Having thus cursed his fellow-citizens, as *Achilles* did the *Greeks*, he retired to *Ardea*, a city not far from *Rome*, and, in his absence, was fined fifteen thousand *Asses* of brass; [about forty-eight pounds of our money.]

Year of
R O M E
CCCLXII.
Ref. J. C.
Three
hundred
ninety-
Thirty-
first Mil.
Trib.

The Destruction of *Rome*, by the *Gauls*, following so closely these transactions, it is no wonder, that the multitude, always superstitious, ascribed it to the anger of the Gods on account of the injustice done to *Camillus*.

Livy, B.
5. c. 33.
Chap.
† Tulca-
ny.

§. II. HE was no sooner gone, than Envoys arrived from the inhabitants of *Clusium**, in *Hetruria*†, imploring the assistance of the Republick against an army of *Gauls*, which had made an irruption into *Italy*, and now besieged their city. The occasion of the siege was this:

ARUNS, a native of *Clusium*, a man well born, was guardian to an orphan, named (or, perhaps, stiled) *Lucumo*, the richest and the handsomest youth in the place. The ward, who had been brought up, from his infancy, in the house of ARUNS, could not find in his heart to leave it, even when arrived at that age which puts a young man under his own direction: He had such an esteem and affection for his guardian, that there was no possibility of living without his Company. It appeared, however, after some time, that the chains, which held our pupil so fast bound in the place of his education, were not the virtues of ARUNS, but the charms of his wife. The passion being mutual, and growing too violent to be either conquered or concealed, *Lucumo* carried off the Lady, avowed the action, and kept her publickly. To obtain reparation of honour, by course of Law, was attempted in vain: Large bribes and the numerous adherents to the ample fortune of *Lucumo* enabled him to triumph over the complaints of an injured husband, not so rich as he. ARUNS, despairing of justice, applied his thoughts to revenge. The State was now become guilty of the cruel injury and affront which he had received from his ward. Against *Clusium* therefore he aimed the meditated mischief, forming a design to reduce the city under the domination of an army of foreign freebooters. He knew, that, from several Cantons of *Gaul**, multitudes

Plut. vita
Camilli,
P. 135,
136.

* *Gaul* was anciently divided into three parts. The first, which reached from the *British* sea to the *Seine*, was called (by the *Romans*) *Gallia Belgica*. The second, which comprehended all the country between the

Seine and the *Garonne* quite to the *Alps*, they named *Gallia Celtica*. The third, containing all that tract of ground which lies between the *Garonne*, the *Pyrenes*, and the western ocean, was called *Gallia Aquitania*.

Year of ROME of men had been formerly drawn into *Italy* by the allurements of its delicious wines: And it is said, that the *SENONES* (who possessed that part of

ccclxii.

Bef. J. C.

Three
hundred
ninety.

Thirty-
mill Mil.
trib.

The only *Gauls*, who at several times crossed the *Alps* and settled in *Italy*, were the *Celtae*, or the inhabitants of *Gallia Celtica*. About the year of *Rome* 160, during the reign of *Tarquin the Elder*, *Ambigatus*, King of the *Celtae*, finding his dominions overstocked with ungovernable subjects, sent away vast numbers of them to seek their fortune under the command of his two nephews, *Sigovetus* and *Bellovesus*. The former took his way through the *Hercinian Forest* (of which the present *Black Forest* was but a small part) and settled in a canton of *Germany*, ever since called *Bohemia*, or *Boiemia*, from the word *Boii*, the greatest part of his followers being of that *Celtic* nation, which was so named. But these, being afterwards driven thence by the *Marcomani* or *Slavonians*, retired into that country which lies between the *Imn* and the *Iyer*, and which from them took the name of *Bevaria* or *Bavaria*.

Bellovesus was followed by great numbers of almost all the other *Celtic* nations, as well as of the *Bou*. He crossed the *Rhone*, spread his army over *Dauphiny* and *Provence*, and at length entered *Italy*, between the mountains *Genevre* and *Cenis*. At this time the *Hetrurians* or *Tyrrhenians* possessed the better part of it. *Bellovesus*, having defeated them in a battle on the banks of the *Ticin*, drove them before him, and took possession of their lands, each of the nations which followed him having its distinct portion of the conquered countries. The *Taurini*, or the inhabitants of the mountains on the side of *Gaul*, had *Piedmont*, the capital of which is *Turin*. Those inhabitants of *Provence*, who were called *Salvies*, had *Liguria*. The *Libici*, another people of *Provence*, were placed on the north side of the *Po*, where *Verceil* now is. The *Insabres* or *Burgundians* settled in the fine country of the *Milanesse*, and there built a town, which they called *Mediolanum* (*Milan*) from the name of a little city in the territory of the *Autunoi*, in *Burgundy*. The *Orobii*, who had dwelt on the banks of the river *Orobis* in the country now called *Languedoc*, settled in the territory of *Bergamo*, and built both the city of that name, and *Como*, but retained their old appellation of *Orobii*. *Bellovesus* seems not to have carried his conquests farther than this, nor to have brought

into *Italy* all the nations which had engaged to follow him.

A second irruption into *Italy* was made by the *Cenomani*, (or those people of *Gallia Celtica* who dwelt between the mouths of the *Saone* and the *Loire*) under the conduct of one *Elitovis*. He was probably followed likewise by the *Bretons* of *Vannes*, and the *Carnutes*. These new adventurers are said to have been tempted to cross the *Alps* by the wine which *Bellovesus* sent them. The *Gauls* were at this time almost perfect strangers to wine; nay, so late as the time of *Julien the Apostate*, there was none made in *France*, at least in the neighbourhood of *Paris*. The *Cenomani* settled themselves north-east of the *Insabres*, and possessed the present *Bresciano*, *Cremonese*, and *Mantua*, on the north side of the *Po*. The *Veneti*, or the *Bretons* of *Vannes*, settled more eastward, on the borders of the *Adriatic* gulph, and the country still retains the name of *Venetia*, which it received from them. As for the *Carnutes*, they went farther north, and took possession of the territory called from them *Carniola*.

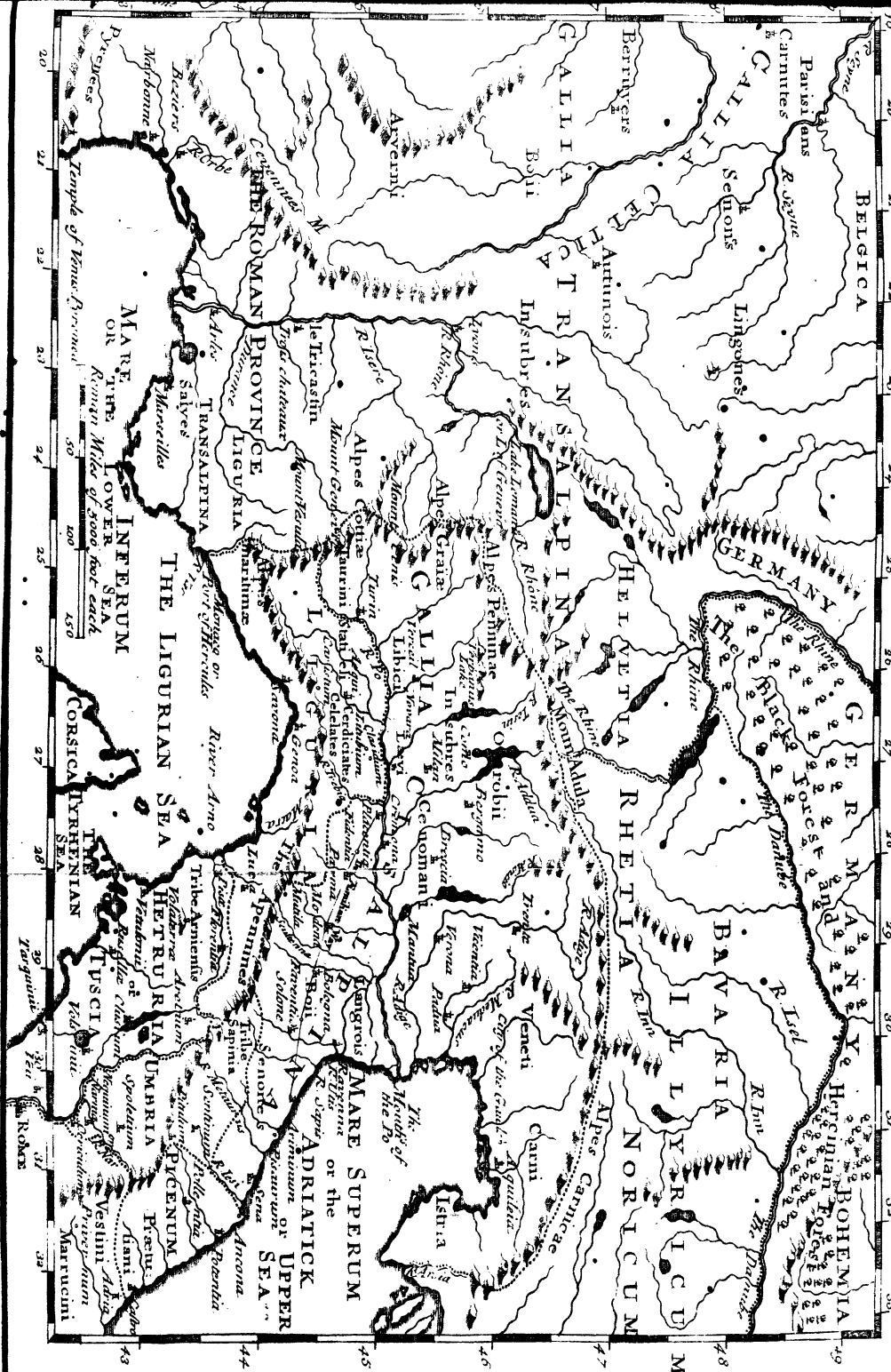
It is uncertain from what part of *Gaul* the *Læves* (or *Lævi*) and the *Ananes* (or *Anamaries*) came, who made the third irruption into *Italy*; but the historians agree, that the *Lævi* seized the country of *Novara*, on the north side the *Po*; and that the *Ananes* settled in the neighbourhood of *Placenza*, on the south side of that river.

The fourth migration of *Gauls* into *Italy* was, when the *Boii* and *Lingones* passed the *Alpes Pennine*, or mount *St. Godard*, and settled on the south side of the *Po*, between *Bologna* and *Ravenna*.

The *Hetrurians*, being driven out of their old habitations by these inundations of strangers, passed the *Apennines*, and retired into that country, which has been ever since called *Hetruria*, or *Tuscany*. It was divided into twelve *Lucumonies*, and reached from the *Anno* to the *Tiber*; being bounded to the north, by the *Apennines*; and to the south, by the *Tyrrhenian* sea. And we are not told, that the *Hetrurians* were any more disturbed by the *Celtae*, from the year of *Rome* 156 to the year 356.

It was 300 years after the invasion by *Bellovesus*, that the *Senones* made the fifth irruption into *Italy*. C. & R.

MAP OF GALLIA CISALPINA, LIGURIA AND THE NEIGHBOURING COUNTRIES. By G. Deille Chief Geographer to the French King, and Member of the Royal Academie of Sciences.



Gaul, which lies to the South-East of *Paris*, and whose capital city was *Sens*) Year of
being hitherto unacquainted with that sort of liquor, he therefore chose to R O M E
address himself to them, in the hope of gaining them to his purpose, by ccclxii.
the means of some excellent wine, which he carried with him. It pre- Bef. J. C.
vailed against all objections. [O, ye men, how exceeding strong is wine !] A nu- Three
merous army of these *Gauls*, guided by the *Hebrurian* fugitive, passed the hundred
Alps, and, without disturbing the *Celts*, in *Italy*, fell down upon *Umbria*, and ninety.
possessed themselves of all the country, from *Ravenna* to *Picenum*, compre-
hending the present Dutchy of *Urbino*. They are supposed to have been Thirty-
there about six years, when (in the year of *Rome* 361) to reward their guide, first
by revenging his quarrel, they undertook the siege of *Clusium*. Mil. Tri.
1 Esdras,
iii. 18.

The *Clusians* had no alliance with *Rome*, nor any claim to her friendship, Livy, B.
unless it were by their not having armed in defence of their countrymen, 5. c. 35.—
the *Veientes*, when the *Romans* besieged *Veii*: Nevertheless they sent am- 55. Plut.
bassadors to crave the aid of the Republick. Succours the Senate did not in Camil-
grant; but commissioned three *Patricians*, the sons of *M. Fabius Ambustus*, 136—145—
to go to the camp of the *Gauls*, and, in the name of the Senate and People
of *Rome*, admonish them to forbear hostilities against the *CLUSIANS*, from
whom they had received NO INJURY. The three brothers having delivered
their errand, in a council expressly summoned to give them audience,
BRENNUS, the King, (or chief-commander) answered, laughing, *No injury!*
Yes indeed, the Clusians have done us a great deal of wrong: For they have
more land than they are able to cultivate, and yet have refused to give a part
of it to us, who are strangers, and numerous, and very poor. They do us the
same wrong that every powerful nation receives from its weaker neighbour, whom
it has not yet subdued. The most ancient of all Laws ordains, that the weak
should yield to the strong, and the brave be Lords of the world^a.

This haughty answer left the *Fabii* no hope of effecting an accommoda-
tion; and it would seem, that through the excess of their anger they forgot
their character of ambassadors. For they soon after put themselves at the
head of the *Clusians*, when these made a sally; and *Quintus Fabius* had the
fortune to kill a General of the enemy, remarkable for his advantageous
stature, and gallant appearance. At first, the *Gauls* mistook the victor for
an *Hebrurian*; but, while he was stripping the vanquished of his armour,
BRENNUS perceived, that he was one of the *Roman* ambassadors, who,
violating the Law of Nations, had thus taken part with the besieged. In-
stantly he ceased the fight, and founded a retreat from before *Clusium*:
ROME was now his object. Some of his officers would have had him
march thither without the least delay. The advice of the elder sort pre-
vailed: *BRENNUS*, before he set forward, dispatched a herald to demand
of the *Romans*, that, in satisfaction for the injury done by their Ambassa-

^a *Plutarch* makes *Brennus* speak, as if he were acquainted with all the petty wars, which *Rome* had made upon her neighbours, the *Albans*, the *Fidenates*, the *Ardiates*, the *Felles*, &c. But *Livy* represents the *Gauls* (in their answer to the Ambassadors) as strangers to the *Roman* name, *Et si novum nomen audiant Romanorum*, &c. B. 5. c. 36.

Year of ROME. Year of dords, these, as the Law of Nations required, should be delivered up to the Gauls.

ccclxiii.

Bef. J. C.

Three

hundred

eighty-

five.

Thirty-

second

Bil. Tri.

The demand did not appear unreasonable to the *Conscript Fathers*: The Priests especially and the *Feciales* [the Roman Heralds] declared that it was perfectly just. Nevertheless, as it concerned persons of high birth, and great credit, the Senate would determine nothing; but referred the matter to an *Assembly of the People*: And so powerful an influence had *Fabius Ambustus*, the father of the ambassadors, on the multitude, that they not only decreed to send back the herald without the satisfaction required, but chose the delinquents to be three of the six ^a Military Tribunes for the new year.

BRENNUS, on the return and report of his herald, put his army in march with all expedition ^b. Observing that the inhabitants of the villages fled, in a fright, at his approach, he caused it to be proclaimed, wherever he passed, that his arms were bent against the *Romans* only, and that to *Rome* he was going.

The *Romans* (as *Livy* observes) seem to have been, at this time, infatuated. In their petty wars with the *Fidenates*, *Veientes*, and other neighbours, it had been their usual practice, on occasions of extraordinary distress or danger, to create a Dictator; in whose single and absolute authority they always found great advantages, with respect both to the levying soldiers for the war, and to the maintaining discipline in the field; and the person chosen to this high office was ever from among their ablest and most approved Generals: But now, when threatened by a far more dreadful enemy than the most potent of the neighbouring States, they neglected an expedient so successfully tried, and committed the conduct of an army, on which the preservation of *Rome* depended, to six commanders, equal in authority, most of them young, and of more spirit than capacity.

With a large body of troops, levied in the haste of a general consternation, they marched out, and met the *Gauls* near the place, where the river *Allia* falls into the *Tiber*, about eleven miles from the city. And here they immediately presented battle to the enemy, without having taken any of those previous measures, which were customary, and which prudence and the superstitious prejudices of the soldiers required. No fortified camp behind them, to retreat to in case of a disaster: A total neglect of religion; no sacrifices, no *Auspicia*, no promise of victory from bird nor beast. Fearing to be surrounded by the *Gauls*, superior ^c in

^a FABIVS,
CÆSO FABIVS,
CAIVS FÆIVS,

Q. SVPITIVS,
Q. SFRVILIVS, a fourth time,
SER. CORNELIVS.

^b *Diod. Sic. Lib. iv.* makes *Brennus* wait the arrival of a reinforcement from *Gaul*, before he begins his march; and this delay will give time (which otherwise it will be hard to find) for the solicitations of *Fabius* the father, and the new Elections.

^c *Diodorus Siculus* reports (B. 4.) that the

Gauls were 70,000 strong. *Plutarch* says, the *Roman* army amounted to 40,000 men, and was equal in number to the *Gauls*.

Livy, *Diod. Siculus*, and *Plutarch* differ in some circumstances of this action, but agree in the main.

number

number, they thinned their center (weakening it too much) in order to extend their wings and make their line of an equal length with that of the enemy; which, nevertheless, they did not effect. Wherefore, to defend their right flank (for their left was defended by the *Tiber*) they posted a body of reserve on a small hill, which stood on the right of their Battalia. *Brennus*, suspecting that these troops were to fall on his flank or rear, during the heat of the engagement, thought it expedient to begin by dislodging them from their post. While this was doing, a pannick seized the main army of the *Romans*. Intire; unattacked, and without striking a stroke, they turned their backs, and fled; so that not one soldier fell in battle; great numbers in the rout. The troops of the left wing threw themselves into the *Tiber*, where many were drowned; but the greater part, escaping both that danger and the darts of the pursuers, got safe to *Veii*; from whence they neither attempted to go home, nor even sent thither any advice of their defeat. The whole right wing made the best of their way to *Rome*, and, when they had entered the city, without stopping to shut the gates after them, fled for refuge into the citadel.

Year of
R O M E
CCCLXIII.
Bef. J. C.
Three
hundred
eighty-
nine.
Thirty-
second
Mil. Tri.

If the *Gauls* had closely pursued these terrified legions in their flight, nothing could have hindered the total extinction of the *Roman* name. But the conquerors, not imagining their victory to be so complete as it was, lost three days in banqueting and dividing the spoil; so that the *Romans* (who despaired of preserving the city) had time to secure the fortrefs of the capitol^a. Provisions, arms, every thing necessary for defence, were with the utmost diligence conveyed into it. Thither the strength of the Senate, and all the citizens, able to bear arms, retired, not excluding their wives and children from that asylum. As for the old men, not capable of either serving the publick or shifting for themselves, it was thought the loss of them might be easily borne, seeing they were a generation, that, by the course of nature, must very soon go off the stage. And, in order to induce the multitude of superannuated men of the lower rank to acquiesce the more readily in their being left in the city to the mercy of the *Gauls*, some ancient Consulars and victorious Generals, who had been honoured with the *Triumph*, declared publicly, that *they would die with them: These bodies, too weak to support the weight of arms, too weak to be employed in the defence of our country, ought not to be a burthen upon those who are armed for its preservation, and who may soon be distressed by a scarcity of provisions*: Then, turning to the soldiery, and following them all the way to the citadel, pathetically recommended to their bravery and youthful vigour the defence of what remained of a State, that for more than 360 years had, in all its wars, been victorious. But, when the moment came that these venerable elders and the young men were to take a final leave of each

^a Thus writes *Plutarch*: *Livy* tells us, that the *Gauls* did march to *Rome* the very day of the victory, and arrived there before sun-set; but, finding the gates open and the walls without soldiers to defend them, astonishment, and the apprehension of some stratagem, to be executed by the *Romans* in the night, made *Brennus* incamp at a small distance from the town. *Livy*, B. 5. c. 39.

Year of other, deep was the distress which that scene exhibited; and it was made
 R O M E consummate by the weeping and lamentations of the women, distractedly
 cccl. xiii. running to and fro, from their husbands to their sons, from their sons to
 Bef. J. C. their husbands, asking now these, now those, *What shall we do?* irresolute,
 Three hundred undetermined which to follow—whose fate to share.

A great number of the women, however, though not invited, followed their relations into the citadel, no-body opposing it; for, how inconvenient soever the admitting them might prove, there was no avoiding that inconvenience without being inhuman. The remaining multitude (which consisted chiefly of the populace) too numerous to be lodged within a fortress that stood on so small a hill, or to be fed there, if it could have contained them, poured forth from the city in a mighty throng, passing over the bridge *Sublicius* to the *Janiculum*; from whence they dispersed themselves about the country, having neither leader to conduct them, nor any concerted scheme to follow.

In the mean time, the priest of *Romulus* and the vestals, after consulting together, agreed to hide, under ground, such of the holy things as they could not carry off; which done, these likewise (bearing, as it is said, the sacred fire, and other important matters) made the best of their way to the *Janiculum*^a; and from thence they were conducted to *Cære* in *He-truria*, where they continued to perform their accustomed religious rites and worship of the Gods.

When the crowd of superannuated patriots had, by their advice and exhortations to the soldiers, done all that was in their power towards the defence of the capitol, they returned to their houses, there to wait, with steady resolution, the coming of the enemy and death. Such of them, as had triumphed for victories, or had been *Curule* Magistrates, that they might die with the greater dignity, adorned themselves with the insignia of those honours which they had acquired by their virtue. Cloathed in their triumphal robes, or in those of their magistracies, they repaired to the Forum^b, and seating themselves there, in their curule chairs, maintained the same respectable air of greatness, as when in the fulness of their former power.

Some say, that the *Pontifex Maximus* pronounced over these ancients the form of words prescribed, in cases of self-devotement; which was a high point of religion and virtue among the *Romans*, they believing that the vo-

^a *Livy* tells us (B. 5. c. 40.) that one *Albinus*, a *Plæbeian*, who was conveying his wife and children in a cart to some place of safety, observing the holy virgins, with their holy burthens, ascending the *Janiculum* on foot, thought it irreligious to let his family ride while the vestals walked; and therefore, making his people alight, he put the priestesses, and their sacred cargoes, into the cart, and conducted them to *Cære*.

Here they met with a favourable reception, and because the vestals remained at *Cære*, and continued to perform the rites of religion there, those rites were thence called *Ceremonies* from *Cære*, and *Manere* to *Remain*. Val. Max. B. 5. c. 39.

^b *Livy* says, that they seated themselves in the porches or halls of their own houses.

luntary sacrifice, which their leaders made of their own lives to the infer- Year of
nal Gods, brought confusion and destruction upon the enemy. R O M E

As the *Gauls* had met with little resistance from the *Romans* in the field, cccclxiii.
and were not put to the trouble of an assault to take the city, they entered, Bef. J. C.
it (at the gate *Collina*) without any thing, in their appearance, of hostile Three
anger, that raging flame kindled by opposition, difficulty, and danger. hundred
Moving on, they beheld, with amazement, the streets unpeopled as a eighty-
desert; and when they came to the Forum, and cast their eyes all around, nine.
they could observe no shew of war but in the citadel alone. What chiefly Thirty-
drew and fixed their attention was the company of venerable victims, second
who had devoted themselves to death. Their magnificent purple robes, Mil. Tri.
their long white beards, their air of greatness, their silence, stillness, and
serenity, all these astonished the *Gauls*, held them at an awful distance,
and inspired them with the same respect which they would have had for so
many Gods. It chanced, however, that one of the soldiers (who was,
probably, less apt to be religiously affected than his comrades) took the
freedom gently to put his hand towards the beard of *Manius Papirius*, as
if he meant to stroke it; a familiarity which so offended the majestic figure,
that, with a smart blow of his ivory truncheon, he broke the fellow's head.
There needed no more to put an end to all reverence for such a choleric
deity. The *Gaul* instantly killed *Papirius*; and as if, by this, he had given
the signal for a general massacre, all the rest were now slain, sitting, like
him, in state, in their curule chairs. After which, *Brennus* having properly
posted a guard to prevent any attack, from the citadel, upon his men,
when divided and dispersed about the city, these betook themselves to plunder
and destroy; they spared not a mortal, made no distinction of age or
sex; and, when they had rifled the houses, set some of them on fire.

The first day, no great execution was done upon the houses; which
makes it doubted, whether the *Gauls* originally intended to destroy *Rome*
totally, or whether, by letting the *Romans* see part of the city in flames,
they meant to terrify them, and engage them to a surrendry, by the hope
of saving the remainder. Be that as it will, the garrison of the capitol were
steady in their resolution not to yield; and the *Gauls* proceeded to lay all
Rome level with the ground. Instead of a considerable city, nothing now
was to be seen but a few little hills covered with ruins, and a wide waste,
in which *Brennus* incamped his army, investing the citadel. Once he at-
tempted to scale the hill on which that stood; but without success: The
Romans met their enemies in the mid-way of the ascent, and, having so
great advantage of the ground, easily repulsed them; and the *Gauls* be-
came sensible that they could never, by assault, possess themselves of the

^a *Livy* (B. 5. c. 46.) relates that one *Fabius Dorso*, being obliged on a certain day to per-
form a sacrifice to the tutelar Gods of his fam-
ily, and the hill *Quirinalis* being the only
place where this sacrifice could regularly be
performed, when the day came, he dressed
himself like a sacrificer, came out of the Ca-
pitol, carrying his Gods with him; and
that the *Gauls*, out of a regard to religion,
suffered him to pass to the place appointed,
and to return in safety to the Citadel, after
he had offered his sacrifice.

Year of place. It was determined therefore, that one part of the army should
 R O M E blockade it, while the other made incursions into the adjacent countries
 ccc.lxiii. for provisions.

Bef. J. C.

Three
 hundred
 eighty-
 nine.

Thirty-
 second
 Mil. Tri.

§. IV. FORTUNE conducted these foragers to the neighbourhood of *Ardea*, whither CAMILLUS, in his exile, had retired. This great man, less afflicted for his own misfortunes, than for the calamities of his country, and watchful to seize every opportunity of serving her, received intelligence, that the *Gauls*, secure in the terror of their arms, preserved no order nor discipline in their marches: That they spent whole days in drinking: And that neither officer nor soldier dreamt of other enemies, beside those who were blocked up in the capitol. Thus furnished with arguments he addressed himself to the magistrates, and obtained their permission to lead out, against the common enemy, the youth of the city. These were very willing to follow him. He chose the dead of night for his expedition, and, surprizing the *Gauls*, unarmed and asleep, made a dreadful slaughter of them; and those that escaped under shelter of the night fell next day into the hands of the peasants, who gave them no quarter.

The news of this action was quickly spread far and wide. It gave fresh courage to the *Romans*, who had taken refuge in *Veii*. These formed a pretty strong body: They had just cut off two parties of *Hebrurian* pillagers; and their strength was now increased by the coming of those soldiers who, after the defeat at the river *Allia*, had dispersed themselves about the country.

All in general looked upon *Camillus* as their last resource, and earnestly wished to have him for their leader: "He is no longer an exile. *Rome* is no more, we have now no country. Why must the *Ardeates*, who are strangers, acquire glory under the conduct of *Camillus*, while we, once his fellow-citizens, lie idle and see our country possessed by the *Gauls*?" They presently sent deputies with an humble request to him to be their commander.

Camillus would not take the command of the *Romans* upon him, without the approbation, first obtained, of the Senate in the Capitol. To learn the Senate's pleasure was very difficult, the place being invested by the enemy: Nevertheless a young man, named *Pontius Cominus*, undertook it. He put on a light habit, provided himself with cork, and in the beginning of the night threw himself into the *Tiber* above *Rome*. The stream carried him undiscovered to the foot of the capitoline hill; and at a very sleep place, where the *Gauls* had placed no centinels, he mounted with difficulty to the Citadel. Having made himself known to the guard, he was straight admitted into the place and conducted to the Magistrates. These, without delay, assembled the Senate: The deputy gave them an account of *Camillus's* victory, and, in the name of all the *Romans* at *Veii*, requested, that they might have him for their General. Not much time

* *Livy* makes the People themselves have this scruple: Consensu omnium placuit, ab *Ardea* *Camillum* acciri; sed antea consulto

senatu, qui Romæ esset, adeo regebat omnia pudor, discriminaque rerum prope perditis rebus servabant. B. 5. c. 46.

was spent in debates: the Senate decreed, *that Camillus should, by an act of the People, assembled by Curia, be recalled from banishment, and, by the authority of the people, be immediately appointed Dictator*, Pontius, with the same good fortune that had attended him in going to the capitol, got back to *Veni*, bearing this decree; and the Romans in *Comitia Curiata* joyfully made a LAW conformable to it.

THUS was *Camillus* from the state of banishment raised at once to be the sovereign Magistrate of his country. On notice of the honour done him he repaired to *Teii*, and there quickly saw himself at the head of above forty thousand men, Romans and allies.

§. V. WHILE he was preparing to march against the enemy, the Capitol had like to have been taken by surprise. Some Gallick soldiers having spied on the side of the hill the prints of *Pontius's* hands and feet, made their report of it to *Brennus*; who immediately conceived a hope of scaling the hill by the same way that the Roman had ascended. For the execution of his design, he chose out of his army such soldiers as had dwelt in mountainous countries, and been accustomed from their early youth to climb precipices. These, under cover of the night, climbed up from rock to rock, and with much difficulty, and more danger, advanced by degrees, lending each other a hand, 'till they arrived at the foot of the wall.

They had got up so silently as not to be discovered by either man or dog: But they could not escape the vigilance of some geese, which, being consecrated to *Juno*, had, notwithstanding the scarcity of provisions, been preserved alive. These creatures, naturally quick of hearing, and now more wakeful than ordinary through hunger (having been kept at short allowance) were alarmed at the first approach of the Gauls; so that, running up and down, they with their cackling and the beating of their wings, awaked the soldiers that lay near. *M. Manlius*, a Consular person, was the first who starting up ran to defend the wall. Of two Gauls, whom he found on the top of it, he flashed off the hand of one, while aiming a blow at his head; and, almost at the same instant, with his buckler so strongly pushed back the other, that he fell from the rampart, and in his fall overthrew all those who were behind him. And now, some of the garrison coming to the aid of *Manlius*, he easily repelled the rest of the assailants, and drove them headlong down the precipice.

The besieged, after their escape, passed the remainder of the night in as much tranquillity as men could do, whose minds had been alarmed and agitated by so great a danger. In the morning, at day-break, the Military Tribunes, by sound of trumpet, called the soldiers together in order to dispense rewards and punishments. First of all *Manlius* was praised for his gallant behaviour, and had presents, not only from the magistrates, but from all the soldiers; each of whom carried to his house, which stood in the citadel, half a pound of meal, and a small measure of wine, which

* The learned and judicious monsieur *Dacier* is much discontented with this philosophical conceit of *Plutarch's*, and is of opinion, that a goose, how well soever fed, will always be very wakeful.

Year of
R O M E
CCCLXIII
Bef. J. C.
Three
hundred
eighty-
nine.

Thirty-
second
Mil. Tri.

Year of R O M E he spared out of his own allowance: A reward ^b considerable only as it was a proof, in the present scarcity of provisions, of the real affection of the givers.

ccclxiii
Bef. J. C.

Three
hundred
eighty-
nine.

Thirty-
second
Mil. Tri.

After this, the centinels, through whose neglect of duty the *Gauls* had been able to mount, undiscovered, to the rampart of the citadel, were cited to appear. The Military Tribune, *Sulpitius*, declared that he would punish them all, according to the laws of war: but finding that the soldiers disapproved of this measure, and unanimously and loudly concurred in laying all the blame on one centinel, he thought it not safe to meddle with the rest. The man, universally condemned, was thrown headlong from the rock.

But now famine began to oppress both parties equally. *Camillus*, since his nomination to the Dictatorship, had possessed himself of all the roads. The *Gauls* durst not stir out to forage; so that the besiegers were themselves besieged, and suffered the same inconveniences that they made the *Romans* undergo. A contagious distemper also prevailed in the army of the *Gauls*, occasioned by the great heats to which they were not accustomed.

§. VI. AT length the distress on both sides occasioned a truce and a parley. *Brennus* having intimated, that he would raise the siege (which had now lasted seven months) on the *Romans* paying an inconsiderable ransom; and the soldiers in the capitol having signified to their commanders, that they could no longer support the fatigue of continual watching and the misery of famine^c, and must therefore either surrender or redeem themselves; the Senate commissioned *Sulpitius* to treat with the enemy. A thousand pound weight ^{*} of gold was the ransom agreed upon; the price of a people who were one day to be lords of the world. The *Gauls* brought false weights; to which, when *Sulpitius* objected to them, the King, insultingly added his sword, which he threw into the scale, giving no other reason, but *Wo to the vanquished!* || The *Romans* not being in a condition to resent this affront, and wisely considering, that the chief indignity they suffered was not in paying more than they had agreed to, but in paying any thing, were just on the point of finishing the affair, when

* About
45000 l.
sterling

|| Væ vic-
tis.

^b The *Romans* extended their rewards and punishments even to the geese and dogs. The former were ever after held in honour at *Rome*, and a flock of them was always kept at the publick expence. A golden image of a goose was set up in memory of their service; and a goose was every year carried in triumph on a soft litter finely adorned; whilst those dumb guards the dogs were held in abhorrence by the *Romans*, who every year impaled one of them alive on a branch of elder. *Plin. & Plut. de fort. Rom. C. & R.*

^c *Lactantius* (B. 20.) tells us a strange story of the *Romans* being admonished and directed in a dream, by *Jupiter*, tutelary god of the capitol, to make all the corn they had into bread, and throw it into *Brennus's* camp,

not reserving the least morsel of it for their necessities: And that the *Gauls* being hereby deceived, and despairing to reduce the *Romans* by famine, raised the siege. In memory of the God's favour, the *Romans* erected an altar to him, under the name of *Jupiter Pistor, Jupiter the Baker*. *Ovid* seems to countenance this story, *Fast. B. 6.*

*Posse fame vinci spes excidit, hoste repulso,
Discam Pistoris quid velit ara Jovis.*

Both *Livy* and *Florus* mention the throwing of loaves of bread from the capitol, in order to deceive; but they both ascribe the driving away of the *Gauls* to *Camillus*. *C. & R.*

on a sudden appeared *Camillus* with his forces at the place of conference. [How he made his way thither unperceived, it is hard to guess.] Instantly he commanded the gold to be taken away, and the *Gauls* to depart: 'Tis with iron, not with gold, that the Romans are wont to defend their country. In vain did *Brennus* represent to him, that he contravened a treaty, actually concluded. *Camillus* replied, that, he being Dictator, no treaty made without his approbation could be valid; and he warned the King to prepare for battle. The *Gauls* were now routed with as much ease as they had defeated the *Romans* at the river *Allia*; and *Camillus* the next morning in a second engagement with them on the *Gabinian* way, eight miles from *Rome*, so totally vanquished and destroyed them, that not a man was left to carry home the news of their disaster. The Dictator returned in triumph to the city, and the soldiers in their songs stiled him *ROMULUS FATHER OF HIS COUNTRY, AND SECOND FOUNDER OF ROME.*

Year of
R O M E
CCCLXIII.
Bef. J. C.
Three
hundred
eighty-
nine.
Thirty-
second
Mil. Tri.

§. VII. *CAMILLUS*, who had thus saved his country in war, may be said to have preserved it a second time, when in peace, by hindering the people from removing to *Veii*; a project which was now renewed with more warmth than ever.

The houses of *Rome* being all demolished, and the walls razed, a heartless dependency seized the multitude; they were extremely backward to set about rebuilding; and the rather, as *Veii* offered them a place fortified by art and nature, good houses ready built, a wholesome air, and a fruitful territory. They said, "they were but just escaped, as it were, quite naked from shipwreck, exhausted by misfortunes, without strength and without materials for rebuilding a whole city, of which nothing was left but the ruins." Nor did there want declaimers to throw out hard words against *Camillus*, as if from vain-glory and the ambition of being esteemed

^d That *Camillus* thus saved his country, as *Livy* and *Plutarch* report, is undoubtedly fabulous; though neither *M. Vertot* nor the Jesuits take notice of any objection there is against giving credit to the story. *M. Rollin* indeed observes (*Hist. Rom. Tom. 2. p. 384.*) that *Polybius* (*B. 2. c. 18.*) silent concerning the double defeat of the *Gauls* by *Camillus*, imputes their retreat from *Rome* to their being called home to defend their own country against the *Veneti* who had invaded it: Yet *M. Rollin* seems to think that the other account may nevertheless be true, for he adds, "It ought to be remarked, that *Polybius* does not enter into the particulars of this *Grande Action*, but confines himself to the giving a general idea of it." But *Polybius*, in the passage referred to, tells us, that the *Gauls* did return home, and had afterwards quarrels among themselves; consequently they were not put to the sword by *Camillus*. And the same historian (*B. 1. c. 6.*) asserts, that the

Romans [in the capitol] made a convention with the *Gauls*, upon the terms which the latter thought fit to prescribe. And in *B. 2. c. 22.* he represents some Gallick Ambassadors encouraging two Kings of the *Gesatæ* to join the *Gauls* in a war against *Rome*, by this consideration, That the *Gauls* had formerly vanquished the *Romans* in battle, taken their city, held it seven months, and then restored it to them voluntarily, and out of mere generosity, [ἰδεομένη καὶ μὲν ἁπλῶς] returning safe home enriched with spoil.

The pretended generosity of the *Gauls* is a flourish of the Ambassadors, who are introduced speaking; but the other facts agree with what is said by *Polybius* himself, in the before cited passages; so that it is evident, this unbiassed historian did not believe one word of *Camillus*'s marvellous exploits against *Brennus*. See likewise *Suenon. Vit. Tib. c. 3. Justin. L. 38. c. 4. Diod. Sic. L. 4.*

Year of a second *Romulus*, a new founder of *Rome*, he opposed a design of such great
 R O M E and general advantage.

ccclxiii. On the other hand, the Senate, resolutely determined against removing to
 Bef. J. C. *Veii*, would not suffer *Camillus* to quit the Dictatorship, after his tri-
 Three umph, and the expiration of his six months. They earnestly intreated him
 hundred not to leave the commonwealth in an unsettled state. The Dictator com-
 eighty- plied with the desire of the *Fathers*. And now, as he was ever most egre-
 nine. giously devout, the first business to which he gave his attention was what

Thirty- concerned the worship of the Gods. He obtained a decree of the Senate,
 second " For purifying all those temples and sanctuaries which had been proph-
 Mil. Tri. " ned by being in the enemy's possession; and for consulting the Duum-
 " virs, who had the care of the Sibylline books, about the proper manner
 " of purification.

" For making a league of hospitality with the *Cerites*, who had so kindly
 " entertained the *Roman* priests and the vestals :

" For celebrating the *Capitoline* games in honour of *Jupiter*, who had
 " defended the place of his residence, and the citadel of *Rome*; and for
 " empowering the Dictator to constitute a college of persons, chosen from
 " among the inhabitants of the Capitol and citadel, to superintend that
 " affair."

Mention too was made of expiations for having neglected the miraculous
 voice (heard in the night) which gave warning of the approach of the
Gauls; and a temple ordered to be erected to the kind monitor (whoever he
 was) under the name of *Aius Locutius*.

It was likewise decreed, that the gold which had been rescued out of the
 hands of the *Gauls*, and what other gold had in the midst of danger and
 confusion been taken out of various sanctuaries and brought into that of
Jupiter, should, inasmuch as it could not be distinctly remembered from
 whence and from whom the several parts of the treasure came, be all deem-
 ed sacred, and deposited under the pedestal of *Jupiter's* statue.

All these pious regulations did not divert the *Tribunes of the Commons*
 from continually exhorting the multitude to leave *Rome*, that was nothing
 but a heap of ruins, and remove to the fair city of *Veii*. *Camillus* there-
 fore, attended by the whole senate, repaired to the forum, and made a most
 elaborate speech to the people there assembled. His chief arguments were
 addressed to their superstition : *Could they find in their hearts to forsake Ju-*
piter, Vesta, Mars, and Father Romulus? [as if *Jupiter* and *Vesta* and

" *Camillus*, in this speech, insists much on
 the constant experience which the *Romans*
 had of prosperous or adverse fortune, accord-
 ing to their observance, or neglect of religi-
 ous duties. And he mentions some rites of
 religion, the performance of which was con-
 fined to certain places in *Rome*, and could not
 be transferred elsewhere. This may have
 been true of some rites. But when our histo-
 rian makes *CAMILLUS* ask—Where can the

COMITIA CURIATA, for military affairs, be
 AUSPICIOUSLY held but in the usual place?
 Shall we transfer them to *VEII*? he seems to
 have forgot, that, by his own account, *CA-*
MILLUS had been recalled from banishment,
 and appointed to the dignity he then held,
 by the people in *Comitia Curiata*, held at
VEII: and this in conformity to a decree of
 the Senate. *Liv. B. 5. c. 46.*

Mars,

Mars and Romulus, if spoken civilly to, would not have removed from *Rome to Veii*, as readily, and in as good humour, as *Juno* came from *Veii* to *Rome*.] It is said, that his discourse made a considerable impression on the multitude; but that what determined them absolutely not to remove was a chance word seasonably spoken. For shortly after, the Senate being assembled, in the *Curia Hostilia*, to deliberate on this important affair, just as *L. Lucretius* (the first called upon, to give his opinion) was going to speak, a Centurion, who (as *Plutarch* relates it) came with his company to relieve the guard, was distinctly heard to say, *Ensign, plant your colours, THIS IS THE BEST PLACE TO STAY IN* *. Instantly *Lucretius* and all the Senators ran out of the Temple, crying aloud, *A happy Omen! the Gods have spoken, and we obey*. The multitude universally approved the notion ^b: All doubt was now at an end: No more any mention of *Veii*: *ROME for ever!*

An Inter-regnum followed the Dictatorship of *Camillus*: For the *Romans* would not suffer the Military Tribunes, during whose magistracy the city had been taken, to hold the Comitia for electing new Magistrates. And no sooner was ^c *Q. Fabius* out of office, than *C. Marcius*, one of the Tribunes of the Commons, summoned him to appear for his conduct (of which the consequence had been so fatal) when ambassador to the *Gauls*. Sudden death, supposed to be voluntary, freed him from this prosecution.

Camillus and *P. Cornelius Scipio* performed the office of Inter-rex, by turns, for a few days. It fell to the former to preside at the election of Military Tribunes.

§. VIII. THE six new Magistrates were *L. Valerius Poplicola*, *L. Virginius Tricostus*, *P. Cornelius Cossus*, *A. Manlius Capitolinus*, *L. Æmilius Mamercinus*, and *L. Posthumius Albinus*. Their first care (after consulting the Senate) was to collect the treaties with foreign States, and what remains could be found of the laws of the Kings, and of the twelve tables, which had been written on brass, and fixed up in the *Forum*. Some of these were communicated to the Publick; but of such as related to religious worship, the Pontifices made themselves the depositaries, that they might likewise be the interpreters of them, and occasionally make them serve as a means to keep the populace in reverence and subjection. In making a list of lucky and unlucky days, the fifteenth of the Calends of *August*, (*i. e.* the eighteenth of *July*) was particularly marked among the latter,

* *M. Dacier*, on this occasion, observes, that *Cicero* held it to be direct Atheism to despise or laugh at such omens. *Cic. de Divin.* lib. 1.

^b What the Centurion said, if really spoken by chance, or believed so to be, furnished a reason of the same kind with some of those which *Camillus* had employed in the long harangue, given him by *Livy*; and was as good a reason as any of his, for not removing from *Rome*.

^c By this passage of *Livy* it would seem, that the same Military Tribunes who commanded the army against the *Gauls*, at the battle of the *Allia*, were still in office, when *Camillus* laid down the Dictatorship; and if so, either they must have held their Magistracy two years, or *Camillus* cannot have held the Dictatorship so long as he is represented by the *Capitoline Marbles* to have done; *i. e.* part of the year 363, and all 364.

Year of ROME as memorable for two unfortunate battles; that in which the 300 *Fabii* were slain near the *Cremera*, and that wherein the *Romans* were defeated by the *Gauls* upon the banks of the *Allia*; no sacrifices were to be offered. the *Gauls* upon the banks of the *Allia*; no sacrifices were to be offered. no business done in the courts of justice, no new expedition begun on this day; and so of several others.

And now the care of all was the rebuilding ^a of the city. The State furnished tiles, and the People were allowed to take stone and other materials wherever they could find them, giving security to finish their houses within the year. The hurry in which they went to work made them heedless whether the ground they built on was their own or their neighbours; each raised his house where he found an empty space, so that the common sewers, which before ran under the streets, ran now under the houses. And so little taste had they for order and beauty, that the city, when rebuilt, was even less regular than in the time of *Romulus*: And though in *Augustus's* time, when *Rome* was become the capital of the world, the temples, palaces, and private houses, were more magnificent than before, yet these decorations could not rectify the fault of the plan.

^a *Plutarch* (in *Camillo*, p. 145.) tells us, that among the ruins of the city, and under a heap of ashes, was found *Romulus's* augural staff unburnt: And that this was looked upon to portend the everlasting preservation and prosperity of the *Roman* state.

THE Roman History.

THIRD BOOK.

From the Year of ROME 365, when the CITY was REBUILT, after the burning of it by the GAULS, to the Year 489, when the ROMANS, having subdued ALL ITALY, began the first PUNIC or CARTHAGINIAN WAR.

C H A P. I.

§. I. *The Hetrurians, Æqui, Volsci, Latines, and Hernici, all the nations bordering upon the Roman State, combine to take advantage of his weak condition. CAMILLUS, appointed now the third time to the Dictatorship, raises a numerous army, which he divides in several bodies for different services. He marches in person, with one part of the troops, against the Volsci, forces their camp, and subdues that People: After which he takes the capital city of the Æqui, and recovers Sutrium from the Hetrurians.* §. II. *The next year (when the Commonwealth is again governed by Military Tribunes) the Roman arms prosper abroad. The year following is a year of peace. Four new Tribes are added to the twenty-one.* §. III. *The expectation of a new war makes the Romans chuse Camillus to be one of the six Military Tribunes for the next year. He leads the Roman troops first against the Volsci of Antium, and then against the Hetrurians; and has success in both expeditions. The Latines and Hernici submit.*

§. I. **R**OME, arising as it were out of her own ashes, appeared once more a city. But scarce did her citizens begin to take breath, when new wars called them again into the field. The Hetrurians, the Æqui, and the Volsci, all near neighbours of Rome, and of course her enemies, made a league to oppress her before she had recovered her strength. Nay, the Latines and Hernici, who had long been allies of the Roman People, engaged in this design. The

Year of
R O M E
CCCLXV.
Bef. J. C.
Three
hundred
eighty-
seven.

Thir-
ty-
third
Mil. Tri.
Livy, B.
6. c. 2.

Year of *Romans* seem to have lost their empire when the seat of it was destroyed, and to have had most of the same conquests to repeat, as after the execution of *Tarquin the Proud*, and the first establishment of the Commonwealth.

Three hundred eighty-seven.

Thirty-third Mil. Tri. Plut. Life of Camillus, p. 145, 146. Livy, B. 6. c. 2.

In this distressful situation the Republick had recourse to a General, always superior to dangers and difficulties. *Camillus* was a third time named Dictator. Immediately he summoned the citizens to take arms, without excepting even the old men. He divided the new levies into three bodies, caused one of them to incamp under the walls of *Rome*, appointing *A. Manlius* to command it: The second he ordered into the neighbourhood of *Veii*, under the conduct of *L. Æmilius*, to watch the motions of the *Hetrurians*: And he led the third himself against the *Volsci*. His very name, and the report of his march, filled the enemy with terror; they now thought no more of conquest; their whole study was how to avoid being conquered; they shut themselves up in their camp, which they fortified with a strong palisade of stakes, and a barricade of trees. *Camillus*, having observed the nature of their fortification, caused his soldiers to throw fire in great quantity against it. The fire, made fiercer by a brisk wind, that chanced to rise, and blow the flame and smoke full upon the camp, presently destroyed the wooden fence, and put the soldiers into such a consternation, that they rushed out in crowds, and fell into the hands of the *Romans*, who made a terrible slaughter of them. *Camillus* then sent to extinguish the flames, in order to save the booty, with which (as he had taken the camp by assault) he rewarded his army; a bounty so much the more agreeable, because unexpected from the Dictator, who had never been known to be over liberal on these occasions. Pursuing the routed enemy in their flight, he ravaged the whole country of the *Volsci*, and at length intirely subdued that untractable People, after they had harrassed the Republick with continual hostilities for more than 107 years. From the *Volsci* he next turned his forces against the *Æqui*, and by assault made himself master, not only of their camp, but of their principal city, *Bola*. In the mean time almost all *Hetruria* had taken arms, and was now engaged in the siege of *Sutrium*, a town in alliance with *Rome*. *Camillus*, by order of the Senate, marched to its relief. The place had capitulated before he came, and the inhabitants had obtained nothing but their lives, and the cloaths on their backs. In this destitute condition they were going to seek new habitations, when *Camillus* met them, bad the women dry up their tears, and promised to transfer their sorrows to the enemy. His promise he performed: For the *Hetrurians*, secure after their victory, and wholly employed in plundering, had left the gates of *Sutrium* open, and without guards. He came upon them by surprise, slew many, and made

Livy, B. 6. c. 3. Plut. ib.

* So the critics say we should read, instead of 70, as it is in *Livy*, there being from the year 258, when the war was renewed against the *Volsci*, in the Consulate of *Ap. Claudius*

and *P. Servilius* to this time 107 years. We find that *Tarquin the Proud* made war with the *Volsci*. And we shall find presently, that all the *Volsci* were not now subdued.

an incredible number prisoners. The *Sutini*, before night, found themselves again in possession of their city, which had been thus twice taken in one day.

This expedition ended, the great *Camillus*, victorious in three wars, in one and the same year, entered *Rome* triumphant.

With part of the money raised by selling the *Hebrurian* captives (after they had been led before his chariot) the *Roman* Ladies were paid the value of the jewels they had formerly lent to the State: And with the remainder the Senate bought three vases of gold, which, with *Camillus's* name inscribed on them, they placed at the feet of *Juno* in the temple of *Jupiter*.

§. II. UNDER the six new Military Tribunes of the following year affairs prospered abroad: They ravaged the country of the *Æqui*, and took two cities, *Certuosa* and *Contenebra*, from the *Hebrurians*.

The *Romans* being at this time in a humour for building, the capitol was now rebuilt (or repaired) with square stone, and with so happy an execution, as to be thought worthy of admiration, even in the reign of *Augustus*.

While the People were busied in this sort of works publick and private, the Tribunes of the Commons endeavoured to revive the old quarrel about the division of the conquered lands, on occasion of the *Pomptin* territory, for which the *Romans* and *Volsci* had long struggled, and which, after the Republick had got possession of it, the *Patricians* had appropriated to themselves. But the time was ill chosen for making a bustle about this affair, because the minds of the Commons were so intent on building that they did not much frequent the Forum; and, besides, they were almost quite drained of their money, and had not enough left for the expence of cultivating new farms, and stocking them with cattle. They took little notice therefore of the harangues of their Tribunes. The Military Tribunes for this year, upon some scruple concerning the validity of their election, voluntarily laid down their offices, and, after a short *Inter-regnum*, six new ones were chosen; whose year, being a year of peace, was spent in works of peace. To the twenty-one tribes were added four new ones, *Stellatina*, *Tromentina*, *Sabatina*, and *Arneasis*.

§. III. THE expectation of a war induced the centuries to chuse * *Camillus* to be one of the Military Tribunes for the next year. They gave him, for his Collegues, † *Ser. Cornelius*, ‡ *Q. Servilius*, § *L. Quinctius*, § *L. Horatius*, and ¶ *P. Valerius*, all men of moderation, who knew how to do themselves and *Camillus* justice. In full Senate they transferred their authority into his hands, and left to him the sole management of the war, so that he was in effect Dictator. The Republick had designed to turn her arms

Year of
R O M E
CCCLXV.
Bef. J. C.
Three
hundred
eighty-
seven.
Thirty-
third
Mil. Tri.
Livy, B.
6. c. 4.
Year of
R O M E
CCCLXVI.
Bef. J. C.
Three
hundred
eighty-
six.
Thirty-
fourth
Mil. Tri.
Livy, B.
6. c. 5.
Year of
R O M E
CCCLXVII
Bef. J. C.
Three
hundred
eighty-
five.
Thirty-
fifth
Mil. Tri.
Year of
R O M E
CCCLXVIII.
Bef. J. C.
Three
hundred
eighty-
four.
Thirty-
sixth
Mil. Tri.
* A 4th
time.
† A 2d
time.
‡ A 6th
time.
Livy, B.

* T. QUINCTIUS,
L. SERVILIUS, a fifth time.
L. JULIUS,
L. AQUILIUS,
* L. LUCRETIVS,
SER. SULPICIUS,

† L. PAPIRIUS.
C. SERGIUS,
L. AMILIUS, a second time,
L. MINICIUS,
L. VALERIUS, a third time,
C. CORNELIUS.

Year of against the *Hetrurians*; but this design was altered upon the news, that the
 R O M E *Antiates* * had entered the *Pomptin* territory in arms, and obliged the Ro-
 cccxlviii. mans, who had taken possession of it, to quit it. *Camillus* allotted to
 Ref. J. C. each of his Collegues, an employment suitable to his rank, and joined
 Three hundred *Valerius* with himself in the command of the army which was to march
 eighty-four. against the *Antiates*; but *Valerius* refused to be upon an equal foot with
 ————— *Camillus*, No, (said he) you shall be my Dictator, and I will serve under you as
 'Thirty- your General of the Horse. The *Latines* and *Hernici* had joined the *Anti-*
 sixth *ates* near *Satricum*: So that the *Roman* soldiers, when they came within
 Mil. Tri. fight of the enemy, were terrified at their numbers, which *Camillus* under-
 * i. e. The standing, mounted his horse, rode through the ranks, put his men in mind,
 Volsci of that these were the same *Latines* and *Volsci* whom they had so often van-
 Antium. quished, and that he was the same *Camillus* who had led them so often to
 Liv. B. 6. victory. He then dismounted, took the next standard-bearer by the hand,
 c. 7. and led him towards the enemy, crying out at the same time, *Sol-*
 c. 8. *diers advance*. A battle ensued, in which the enemy were intirely over-
 thrown. The *Latines* and *Hernici* separated from the *Volsci*, and returned
 home. The *Volsci* fled for refuge to *Satricum*: *Camillus* came before it,
 and carried it by assault. He then left his army under the command of
 c. 9. *Valerius*, and returned to *Rome*, to solicit the Senate's consent, and get
 things necessary for undertaking the siege of *Antium*. While he was propo-
 sing this affair to the *Conscript Fathers*, Deputies arrive from *Nepete* and
Sutrium (cities in alliance with *Rome*, and that were, in a manner, its bul-
 wark, as well as the keys of *Hetruria*) demanding succours against the *He-*
trurians. The Senate ordered *Camillus* to their relief, and assigned him
 those troops which *Servilius* had commanded in *Rome*, and kept in readi-
 ness in case of an exigence. He marched, came before *Sutrium*, found it
 almost taken, and preserved it. *Nepete* had surrendered voluntarily to
 the *Hetrurians*, the greater part of the inhabitants being better affected
 c. 10. to them than to the *Romans*. The recovery of this place seemed there-
 fore a work of greater difficulty. However, he took it at the first as-
 sault, and, having put the garrison to the sword, condemned the Authors of
 the revolt to die by the axes of the Lictors.

Camillus, before the end of this year, called the *Latines* and *Hernici* to account for their late conduct. The Magistrates of those nations alledged, that the reason of their not aiding the *Romans* was the necessity they had been under to keep their troops at home to defend their own country; and that, as to the assistance which some of their People had given to the enemies of *Rome*, they had done it without authority, and had been punished for their fault; not one of them having returned safe home. These excuses were not satisfactory, but the Senate readily admitted them, being unwilling at this juncture to multiply the enemies of the Commonwealth.

C H A P. II.

§. I. M. Manlius (who saved the Capitol) uses such Methods to make himself popular, as alarm the Senate. They name a Dictator, who commits him to prison, and presently after resigns his office. The Senate, fearing the rage of the People who are devoted to Manlius, set him at liberty. §. II. Camillus is chosen one of the Military Tribunes for the next year. Two of the Tribunes of the Commons impeach Manlius of treason, and, by sentence of the People, he is thrown headlong from the Tarpeian rock.

§. I. **I**N the following Magistracy of six ^a Military Tribunes, a dangerous war abroad, and a more dangerous sedition at home, distressed the Republick. The *Volsci*, joined by the *Latines* and *Hernici*, who had revolted from Rome, commenced the war: the sedition had for its author a Roman of high birth, consummate bravery, and illustrious fame. Marcus Manlius (who saved the Capitol) though he had pride enough to despise all the other great men of Rome, yet envied one: He could not bear to see Camillus so distinguished, as if he alone were fit for the Supreme Magistracy and the command of the army: This exalted man looks down upon his Colleagues, as his ministers, forgetting that he and they were elected under the same auspices. What ground for all this arrogance? Could he have recovered Rome, if I had not first saved the Capitol? He came by surprise upon the Gauls, when employed in receiving the gold, and secure in the treaty of peace; I had to do with men armed, and just upon the point of taking the Citadel: Every soldier of his army had a share in the glory of his exploit; but I had no companion in my victory.

It is said, that Manlius by such speeches gave vent to his envy; and that, not finding his merit prized by the Nobles suitable to his own idea of it, he forsook that party, concerted measures with the Tribunes of the Commons, and set himself to court the multitude. Not content with renewing the proposal for distributing the conquered lands, he made himself the advocate and protector of such Plebeians as were oppressed with debt. Nothing could be more popular at this time than a warm concern expressed for insolvent debtors; because most of the lower People had been forced to borrow money, to rebuild their houses. The Senate, alarmed at the proceedings of Manlius, thought it necessary to create a Dictator, who, by his absolute power, might be able to crush the rising faction; and the war with the *Volsci* (now strengthened by the *Latines* and *Hernici*) furnished a plausible pretence for this creation. The Dictatorship was given to A. Cornelius Cossus, who named T. Quinctius Capitolinus to be General of the Horse.

A. MANLIUS, a second time,
P. CORNELIUS, a second time,
T. QUINCTIUS,

L. QUINCTIUS,
L. PAPIRIUS, a second time,
C. SERGIUS, a second time.

Year of
R O M E
cccl.xix
Bel. J. C.
Three
hundred
eighty-
three.

Thirty-
seventh
Mil. vii.
Liby, B. C.
c. 12.

c. 13.

c. 14.

CORNELIUS, though he saw he should have greater difficulties to struggle with at home than abroad; yet, whether it were, that the business of the war was more than ordinary urgent, or whether he thought that a victory in the field would add weight to his authority of Dictator, when he should have need to exert it in the city, he made his levies with all expedition, marched away, and came to a battle with the *Volsi*, in the *Pomptin Territory*. Before the action began, he told his men, that the omens were so favourable as to leave no room to doubt of success. He had them lay their javelins down at their feet, keep together in close order, and without stirring sustain the enemy's first charge; in whose eyes, when they advanced in disorder (after spending their darts in vain) they should make their swords glitter, and every man call to mind that there were Gods who fought for the *Romans*. He directed *Quintius* to restrain the ardor of his cavalry, 'till the infantry were engaged in fierce conflict, and then to fall on. Both horse and foot observed his injunctions; and the *Volsi*, though much more numerous than the *Romans*, yet, not being so well conducted, suffered a total defeat. Among the prisoners were found many considerable men of the *Latines* and *Hernici*, who, being examined, confessed they had acted by authority; so that it was no longer a doubt whether those two Nations had revolted.

The Dictator hereupon kept his army in the field, believing assuredly that he should be directed to carry the war into their countries; but a more pressing affair obliged the Senate to send for him home. For *Manlius*, not by invective speeches only, but by deeds of an exemplary generosity, had raised against the Nobles guilty of excessive fury, such a spirit of anger in the Commons, as seemed not easy to be laid. One day seeing a centurion, who had distinguished himself by many gallant exploits in war, and whom, his person being taken in execution of a judgment upon an action of debt, they were carrying through the Forum to the creditor's prison, he ran hastily, attended by a numerous company of his clients and other followers, and, laying fast hold of the debtor,—*Oh the pride of these Patricians! the cruelty of these usurers!—so brave a man! so unsuitable a fortune! In vain did this right hand preserve the Capitol, if I am to behold my fellow-citizen, my fellow-soldier, just as if he had fallen into the hands of the victorious Gauls, a wretched captive carried into slavery.* Then in the presence of all the people he freed the debtor, by paying, in legal form, the whole debt to the creditor. The Centurion called upon Gods and men to reward his generous benefactor, *The father of the Commons of Rome!* and being now admitted into the tumultuous train, he contributed not a little to increase the tumult. Shewing the scars and the wounds, he had received, in the *Veientan*, *Gallick*, and other wars:—*I was forced to borrow money for the expence of attending the service, and to rebuild my house. The amount of the principal I have paid over and over again in interest; interest so heavy and oppressive that I could never emerge out of debt; it was usurious extortion that overwhelmed me—That I now partake of the common light, that I am permitted to see the Forum, the faces of my fellow-citizens,* these

these are the pure effects of Marcus Manlius's bounty. From him I have received all the benefits that a son can receive from a parent; and to him therefore I devote my body, my life, all that remains unpill of my blood. Whatever ties I have to my country, to the Gods of my country, to my household-gods, those same ties fasten me inviolably to that one man. Both the nobles of the act, and the effusion of praise and gratitude from the person obliged, made so strong an impression on the multitude, that they were already disposed to attach themselves, like the Centurion, to *that one man*, when he did another thing, which was still better imagined, to turn their heads quite, and to throw all things into confusion. Having, in the territory of *Ven*, a farm, the chief part of his estate, he caused the public cryer to notify the sale of it.—*No, Romans, whilst I have any thing left, I will never suffer, that any one of you be cast into the prison of his creditor.* Nor did he stop here in his endeavours to make himself popular, and to alienate intirely the hearts of the commons from the Senate. In assemblies which he held in his own house (in the citadel) he confidently gave out, that the Senators, not content with being the sole possessors of those lands, which ought to have been divided equally among all the citizens, had concealed, with an intent to appropriate it to their own use, the gold which was to have been given to the *Gauls*, and which had been raised by the voluntary contributions of all the citizens who were then in the Capitol; a treasure which alone would be sufficient to discharge all the debts of the poor *Plebeians*. And he promised to shew them in due time, where this treasure was hid. So pleasing a prospect, as that of every man's having his debts discharged, took up all the attention of the People; their whole care was to draw those riches out of the hands of the *Patricians*.

Things were in this situation when the Dictator returned to the city. Having agreed with the Senate upon the measures to be taken, he went to the Forum, accompanied by the Fathers, and a great number of other *Patricians*, ascended his tribunal, and sent a Lictor to cite *Manlius* to appear before him. *Manlius* did not disobey the summons, but, making all his adherents follow him, he approached the Tribunal with so numerous a guard, that the Assembly looked like two armies ready to join battle. Silence being made, the Dictator spoke thus: "I heartily wish, *Manlius*, that I and the Senate could in every thing agree with the Commons of *Rome*, as readily as I trust we shall do in what concerns you, and the matter I am going to question you upon. You have been heard to say, that some of the principal Senators have secreted the gold that was designed for the *Gauls*, and that this fund alone would be sufficient to discharge all the debts. I am so far from desiring to hinder such an extraordinary benefit to the Commons, that I exhort you earnestly to ease them of that burthen of usury they labour under, and to name the men who

*—addita alia commotionis ad omnia quem vestrum, inquit, Quirites, donec quieturanda consilii res. Fundum in *Venti*, quam in re mea supererit, judicatum, ad caput Patrimonii, subiecit præconi: ne dictumque duci patiar. c. 14.

Year of. “ have stolen and concealed this important treasure. But, if you do not in-
 R O M E “ stantly name those robbers of the publick, be assured that I shall without
 ccclxix. “ delay send you to prison, as an incendiary and a slanderer ; for I will
 Bef. J. C. “ not suffer you any longer to deceive the People with vain hopes”
 Three “ *Manlius* answered, “ I find I was not mistaken in my opinion, that
 hundred “ the Dictator was created, not to act against the *Volsci*, but against me,
 eighty- “ and the *Commons* of *Rome*. He openly espouses the cause of the *Ufu-*
 three. “ rers, and I am to be destroyed on account of the affection which the
 Thirty- “ people bear me. Does it indeed offend you, *Cornelius*, and you, *Con-*
 seventh “ *script Fathers*, to see the crouds that attend me ? Why do not you en-
 Mil. Tri. “ deavour to share their affection with me ? Why do not you relieve the
 “ poor citizens, who are quite sunk and overwhelmed with debt ? Pay
 “ for some, answer for others, supply their necessities out of your su-
 “ perfluities : Nay, without bestowing any thing upon them of what you
 “ possess, do but deduct from the principal sums what you have re-
 “ ceived for interest. You will then see, that my train of followers will
 “ be no greater than any of yours.—But why is *Manlius* (say you)
 “ the only man who thus concerns himself for the citizens ? You may
 “ ask me too, why I was the only man who saved the Capitol ? As I
 “ then exerted myself for all in general, so now I am ready to give my
 “ help to every *Roman* in particular. As to the secreted treasure, you
 “ put a question to me which you can better answer yourselves. The
 “ very demand makes that difficult, which would otherwise have
 “ been easy. The more you press me to declare the place where the
 “ gold is hoarded, the more reason I have to believe that you have re-
 “ moved it, and hid it beyond the reach of the most curious inquiry.
 “ Am I to reveal where your thefts are concealed ? or ought not you
 “ rather to be compelled to bring them forth ?” At these words the
 Livy B. 6. Dictator commanded him to give over his evasions and subtrefuges, and
 c. 16. go directly to the proof of his charge, or else to confess before all the
 People, that he had slandered the Senate. To this *Manlius* replying,
That he would not speak at the pleasure of his enemies, he was immediately
 ordered to prison. When the Lictors laid hold of him, he cried out,
O Jupiter, most beneficent, most mighty ; O Juno, Queen of Heaven ; O Mi-
nerva, and all ye other Gods and Goddesses who reside in the Capitol : will ye
suffer your Champion and Defender to be thus treated by his enemies ? Shall
this right hand, with which I drove the Gauls from your sanctuaries, be manac-
led and locked in chains ?

We have on this occasion a surprising instance of the ready submission of the *Romans* to the commands of a lawful Magistrate. The People, though seditiously devoted to *Manlius*, made not the least motion to hinder the execution of the sentence ; not an angry expression was heard, nor a threatening look seen in the whole Assembly. His adherents and abettors expressed their concern only by habits of mourning, neglecting to cut their hair and beards, crouding about the prison-door, and there lamenting his misfortune.

In this time of the People's affliction *Cornelius Cossus* had a triumph for his victory over the *Volsi*. The multitude expressed nothing but a deep dejection on that day of joy. Some were heard to say, that the Dictator triumphed over a citizen, not over the enemy; that the chief ornament of the show was wanting; and that to gratify the Victor's pride *Manlius* should have been led before his chariot. The Senate, to soothe and pacify the People, decreed of their own motion to send a colony of *Romans* to *Saturnia*, and allotted to every man two acres and a half of arable land. But this expedient proved ineffectual. So soon as the Dictatorship of *Cornelius* was expired, and the People freed from the dread of an uncontrollable Magistrate, the discontent of *Manlius's* party began to grow into open sedition. Some reproached the multitude in public discourses, "That it was their custom to exalt their Protectors to high and slippery stations, and then to forsake them in the very moment of danger and downfall: That *Sp. Cossus*, the first who proposed the Partition of the Lands; that *Manlius*, who in a famine generously fed the People at his own expence; had both of them been abandoned and destroyed; and that now *Manlius*, for endeavouring to free the poor debtors from slavery, was given up to his mortal enemies. It is a shame to see a Consul thus treated, merely because he did not answer at the nod of the Dictator. Suppose him to have invented a story, and therefore not to have an answer ready, was it ever known, that even a servant was put in irons for only telling a lye? Call to mind that fatal night when the Gauls climbed up the *Tarpeian* cliff, and when *Manlius*, all covered with sweat and blood, rescued, in a manner, even *Jupiter* himself out of the hand of the enemy. Do you think that half a pound of meal was a sufficient reward for the preserver of our country? Will you suffer a man, whom you have almost equalled to *Jupiter*, by giving him the surname of *Capitolinus*, to drag on a miserable life in a dungeon, and draw his breath at the pleasure of a Jailer? Was one man able to preserve all, and shall not all be able to succour one?" Discourses like these were frequently repeated, and the people, surrounding the prison day and night, threatened to break it open. The Senate, fearing lest the multitude in their fury should execute what they threatened, made a Decree for his release: But they did not thereby put an end to the sedition; they only gave the seditious a leader.

During these commotions, Ambassadors arrived from the *Latines* and the *Hernici*, as also from the cities of *Circæi* and *Velitræ*, demanding releasement of the prisoners, taken in the last action when the Dictator *Cossus* defeated the *Volsi*. The Ambassadors of the former were received (though their demand was rejected) because those Nations had been only allies of *Rome*; but the Ambassadors of the latter were ordered immediately to depart, and not appear before the People, because those cities had been upon the foot of *Roman Colonies*. The former enjoyed their own laws; the latter were subject to the laws of *Rome*, and had therefore no right to send Ambassadors.

Year of §. II. WHEN new Magistrates came to be elected for the next year, R O M E the Centuries chose *Camillus* Military Tribune a fifth time; and with him ccclxx. they joined * *Ser. Cornelius*, † *P. Valerius*, ‖ *Ser. Sulpicius*, *C. Papirius*, and Bef. J. C. § *T. Quinctius*. The confidence of *Manlius* was now much increased by Three hundred the timoroulness of the Senate, and the remissness of *Cassus* in not punishing eighty- him as a former Dictator had done *Mælius*. And the poor Plebeians two. entertained the hope, that under such a leader they should be able to get Thirty- usury abolished. *Livy* gives us a long speech (doubtless of his own making) eighth as spoken by *Manlius*, in an assembly held at his house in the citadel. The Mil. Tri. substance of the discourse is an exhortation to the Plebeians *to free themselves from the burthen of their debts, and the tyranny of the Patricians, by Livy B. 6. exerting their natural superiority of strength, and assuming the ascendant.*—No c. 18. more Dictators—No more Consuls—I declare myself the PATRON of the time. Commons of Rome: *My steady concern for their Interests has already fixed † A 2d upon me that Title. If you are willing to bestow a higher upon your leader, it time. will inable him to assist you more effectually in the accomplishing of what you ‖ A 2d desire.* *LIVY* adds, “It is said, that from this time was set on foot a time. § A 2d “project for restoring kingly power; but it is not clearly said, how far time. “it went, nor who were the projectors.” In the debates of the Senate, Livy B. 6. alarmed at the cabals held at a private man’s house, a house too in the citadel, many of the *Fathers* declared loudly, “That the Commonwealth c. 19. “stood in need of another *Servilius Ahala*, who by one stroke should rid “her of a bad Citizen, and restore the publick safety and tranquillity.” And tho’ the resolution of the Assembly was, in words, more gentle, it was, in effect, not less violent: For by an order to the MILITARY TRIBUNES to take care, that the Commonwealth suffered no detriment from the pernicious projects of *Marcus Manlius*, they impowered them to act as *Ahala* had done. And now these Magistrates and the Tribunes of the Commons (for the latter, foreseeing that the loss of their dignities would soon follow that of the publick liberty, had given themselves wholly to the Senate) consulted together upon the proper measures to be taken in the present exigence; and when they were at a loss, no one having proposed any better expedient than *Assassination*, which yet in all appearance would occasion a dangerous conflict, *M. Manlius* and *Q. Petilius*, both Tribunes of the Commons, started a new thought: *Why do we make that to be a strife between the SENATE and the COMMONS, which ought to be a war of the whole State against one pestilent Citizen? Why should we attack him united with the Commons, when we may more safely attack him by the Commons themselves? We purpose to appoint him a day to appear in judgment. Nothing is more odious to the People than royalty. And when the multitude shall see, that there is no contest with them; that they are made JUDGES in the cause; that the accusers are Plebeians, and the accused a Patrician, and the crime, charged, aspiring to be King; they will unquestionably shew, that there is nothing they regard with so true a tenderneſs, as their liberty.*

c. 20. This advice being unanimously approved, they notified to *Manlius* a day for his appearance [before an Assembly by Centuries.] The Plebeians

beians were at first much affected to see him going about in a dress of mourning to solicit favour; not one Senator, nor any of his kindred, not even his brothers, *Aulus* and *Titus*, accompanying him; any thing the like to which had never happened before. Whence it is evident that there was a combination of all the *Patricians* to oppress him, because he was the first of his family who had fallen off from their party to espouse the cause of the *Plebeians*.

When the day of trial came, his accusers charged him with holding private assemblies, and with seditious words, ill-meant liberalities, and slandering the Senate [with relation to the gold.] But *Livy* tells us, that he could not in any Author find what direct proofs the Tribunes brought of *Manlius's* aspiring to the regal power. However, he supposes, that sufficient proofs they had, since nothing but the circumstance of the place where he was tried (which was the *Campus Martius*) hindered his immediate condemnation.

Manlius is said to have produced near 40 citizens, for the payment of whose debts he had advanced money, without interest, thereby recovering their effects which had been seized, and keeping their persons out of the prisons of their creditors. He produced two mural crowns [of gold] his rewards for having entered the first into cities taken by assault; eight civick crowns [of oak-leaves] for having in battle saved the lives of so many citizens, among whom *C. Servilius* (when General of the Horse) was one; the spoils of thirty enemies, whom he had slain with his own hand in single combat. He then opened his bosom, and shewed it covered with scars, left by the wounds he had received in fight. Looking often to the Capitol, he called upon *Jupiter*, and the other Gods, for help; and he conjured the People to turn their faces to that sanctuary, and, when they were going to pronounce judgment, to think of the Gods who resided there.

The People, touched with the humiliation and distress of a *Roman*, who by his bravery had saved the Republick, and having before their eyes the very place where he had fought so valiantly against the *Gauls*, could not resolve to condemn him. The Military Tribunes, plainly perceiving this, and that, unless the multitude were removed to some place whence they could not see the Capitol, they would never give sentence against the accused, deferred the decision of the affair to another day, and appointed the place of the Assembly to be in the *Peteline* wood, without the gate *Flumentana*. Then the object, which had saved *Manlius*, no longer dazzling the eyes of his Judges, he was condemned to be thrown from the Capitol itself; and the theatre of his glory became that of his punishment and shame. Two marks of infamy are said to have been fixed upon his memory; one by publick authority, the other by private. The publick decreed, that no *Patrician* should thereafter dwell in the Capitol, or the Citadel; and the *Manlian* family came to a resolution among themselves, that no member of it should ever bear the prænomén of *Marcus*. Such (says *Livy*) was the end of a man who, if he had not been born in a free state, would have deserved to be remembered with honour by posterity. The multitude

Year of
R O M E
ccclxx.
Bef. J. C.
Three
hundred
eighty-
two.

Thirty-
eighth
Mil. Tri.
Livy, B.
6. c. 29.

multitude very soon regretted the loss of him. Their fear of his ambition being over, they remembered only his virtues: And, because a plague broke out at this time without any discernible cause, many of the People ascribed it to the severe treatment of *Manlius*: The *CAPITOL*, they said, had been polluted with the blood of its deliverer; and the Gods were offended at the execution, almost in their very presence, of a man who had rescued their Temples out of the hands of the enemy.

REMARKS on the DEATH of M. MANLIUS.

M. *Dacier* expresses his wonder at “the fantastick humour of the *Roman* People, who [though fully convinced of the guilt] could not prevail with themselves to condemn the criminal, while they had the *CAPITOL* before their eyes; yet presently after [without any new offence by him committed] could throw him headlong from that very *CAPITOL*, the sight of which had hindered them from condemning him.”

Perhaps the reader may wonder at *M. Dacier*’s giving credit to this part of the story; I mean the Trial and Condemnation of *Manlius* by an assembly of the People: I am well persuaded that *Livy* gave no credit to it, nor to several other particulars which he has so pompously delivered concerning *Manlius*.

The publick examination (as *Livy* relates it) of *MANLIUS*, the year before his death, by the Dictator, *Cornelius Cossus*, has too strong a mark of fiction, to have passed upon *Livy* for true history. The Dictator charges *Manlius* with having slanderously^b accused the principal Senators of secreting the gold that was snatched [by *Camillus*] out of the hands of the Gauls. And *Manlius* is represented as making no difficulty to own, that he had so accused them, and that he believes them guilty. Now it is absolutely incredible, that *Manlius* charged the Senators with secreting what every *Roman*, then living, knew with certainty to have been carried away by the Gauls^c;

^a Etrange bizarrerie du Peuple ! il ne peut se résoudre à condamner *Manlius* à la vue du Capitole, et un moment après il le précipite de ce même Capitole, dont la vue l’avoit empêché de la condamner. *Dac. Plut. Vie de Cam.*

^b — sermone pleni criminum in patres: inter quos — thesauros Gallici auri occultari a patribus jecit: nec jam possidentis publicis agris contentos esse, nisi pecuniam quoque publicam avertant. Ea res si palam fiat, exolveri plebem ære alieno posse — indignum facinus videri, quum conferendum ad redimendam civitatem à Gallis aurum fuerit, tributo collationem factam idem aurum ex hostibus capium n paucorum prædam cessisse. L. 6. c. 14.

Spem factam à te civitati video, fide incolumi, ex thesauris Gallicis, quos primores Patrum occultent creditum solvi posse. C. 15.

^c N. B. It is not improbable, that *Manlius* did accuse the principal Senators, and *Camillus*, among the rest, not falsely but truly, of embezzling (not the gold weighed out for the Gauls, and which the Gauls carried off, but) what remained of the treasure, which the Magistrates had amassed from voluntary contribution, after their paying the sum agreed upon for their ransom. That they were guilty of fraudulent purposes with regard to that remaining treasure, *Livy* furnishes ground to believe, by what he says of their scrupulous casuistry, and of the reasons they found for not parting with the gold they had got into their possession. And it is very possible, that this gold, properly applied, might have gone a great way towards discharging the debts of the poor *Plebeians*, as *Manlius* is reported to have said.

for that the *Gauls*, when they marched off, did not go without the ransom-Gold, Vid. *supr.* is made indisputable by *Polybius's* account; which account *Livy* had before him, p. 447. though he takes no notice of it.

Indeed the saving of this gold is a point, with which the *Latine* Historian seems to have been much perplexed. Saved it must be; because it was not fit that such a majestic People as the *Romans* should be redeemed like so many paltry slaves: *Dique et homines prohibuere redemptos vivere ROMANOS. Nam forte quadam, prius quam infanda Merces perliceretur—*Dictator intervenit, &c. Lib. 5. c. 49.

Well, but what became of this gold, so fortunately preserved? Why truly, both this (which, in order to avoid a profane use of sacred treasures, had been collected from the women) and other gold, that in the fright and hurry had been taken out of several sanctuaries and brought into the sanctuary of *Jupiter*, were deposited under the pedestal of *Jupiter's* statue.

But why, when all was safe and quiet, were not the women's ornaments restored to them? and why were not the other parcels of gold replaced in the respective sanctuaries to which they belonged? The reason was, it could not be distinctly remembered from whence and from whom the several parts of the treasure came; so it was thought best, that the whole should be deemed consecrated to the Gods. [As if the priests could not distinguish the gold of their respective temples, nor the women their own trinkets.] The women, it seems, in reward of their virtue received publick thanks; to which the publick added an honour: Instead of restoring to them the fineries of their dress, it was decreed, that they should have fine things said of them at their funerals, as the men had ^a.

THAT MANLIUS was convicted before the People, assembled by centuries, of attempting to make himself King of Rome; and that the People condemned him, as guilty of that crime, to be thrown from the Tarpeian Rock; are facts which seem to be as little worthy of belief, as that he accused the Senators of secreting gold, snatched [by *Camil- lus*] out of the hands of the *Gauls*.

I. For, first of all, *Livy* tells us that he could not in any author find what direct proofs the accusers of *Manlius* brought of his plotting to be King. Crouds of people about him; seditious words; ill meant liberalities [largitio]; flandering the Senate in relation to the gold [fallax indicium;] these were all the particulars mentioned by those writers from whom *Livy* borrowed his accounts: Yet our Historians suppose, that weighty matters were proved against him, because [it is said] the sentence was deferred, not on account of any want of evidence, but merely on account of the place where the criminal was tried ^b [the field of *Mars*, whence the *CAPITOL* could be

^a Aurum quod Gallis ereptum erat, quodque ex aliis templis inter trepidationem in Jovis cellam collatum, quum, in quæ referri oporteret, confusa memoria esset, sacrum omne judicatum, sub Jovis sella poni justum. Jam ante in eo religio civitatis apparuerat, quod, quum in publico deesset aurum, ex quo summa pacta mercedis Gallis conferet, a matronis collatum acceperant, ut auro sacro abstineretur. Matronis gratiæ actus, honosque additus, ut earum, sicut virorum, post mortem solennis laudatio esset. Lib. 5. c. 20.

Plutarch reports that the privilege granted to the women of having funeral orations was in reward of their giving [he should have said lending] their ornaments to make a vase, to be sent to *Delphos*, in discharge of *Camil-*

lus's vow, when he was just going to the assault of *Viri*.

^b Quum dies venit, quæ, præter cætus multitudinis, seditiosasque voces, et largitionem, et fallax indicium, pertinentia propriè ad regni crimen, ab accusatoribus objecta sint reo, apud neminem auctorem invenio. Nec dubito haud parva esse, quum damnandi mora plebi non in causa, sed in loco fuerit. C. 20.

N. B. *Manlius's* liberalities to the poor are said to have been urged against him as indications of his inordinate ambition. And he, in his defence, is said to have produced 400 citizens, to whom he had advanced money, without interest, to prevent their falling in to the cruel hands of their creditors.

seen:]

seen:] That is to say, IF *Manlius* was certainly tried by the People, and if sentence against him was deferred on account only of the place where he was tried, then it is probable there was sufficient proof of his guilt. But presently after,

2. Our Historian lets us know that he is not quite sure that *Manlius* was tried and condemned by the People: For, after speaking of their passing sentence against him, contrary to their inclination, even when they were in a place from whence the Capitol could not be seen, he adds, *some report that he was condemned by Duumvirs, created to inquire into his Treason.* Sunt qui per Duumvros, qui de perduellione acquirerent creatos, auctores sint damnatum.

3. As *Livy* by these last words discovers, that he did not know certainly before what court *Manlius* was tried; so, by what he says in the preceding chapter, he seems to allow his reader to believe, that the supposed criminal was never brought to trial before any court whatsoever, but was cut off by an act of mere violence, an act of that absolute power with which the Senate had invested CAMILLUS and the other Military Tribunes, on purpose to destroy him. I say, *Livy* seems to intimate this, when he tells us, that the Senate's giving that extraordinary power to the magistrates amounted to the same thing as a resolution to dispatch *Manlius* (as *Abala* had dispatched *Mælius*) without any previous form of process^a.

That they destroyed *Manlius*, by casting him down from the *Tarpeian Rock*, may be easily believed, though we suppose no publick sentence to have passed against him, specifying that punishment: because his house, where, it is probable, the officers of the magistrates seized him, stood in the citadel, and therefore very near to that rock.

4. To the arguments, above offered, against the pretended trial and condemnation of *Manlius*, for plotting to be King, may be added the great unlikelihood, that any Roman, not out of his senses, would, in those times, furnish even the smallest ground for suspecting him of such a plot. Is it not, in the highest degree, improbable, that *Manlius* should hope to raise himself to a regal throne, by the help of a populace, whom he could not but know to have an hereditary and insuperable aversion to the very names of King and Kingdom: insomuch, that the ambition of reigning [cupiditas regni] was, with them, the most unpardonable of all crimes; and for which no kind nor degree of merit could atone? *Livy*, on the present occasion, (as on several others) intimates this to have been the temper and turn of the Roman People: Illud notandum videtur, ut sciant homines, quæ et quanta decora cædâ cupiditas regni, non ingrata solum, sed invisa etiam reddiderit, c. 20: and then enumerates the worthy actions and heroic exploits of *Manlius*. [See what has been said on this head in the close of Chap. XIV. B. 2.]

Livy, B. 6. c. 20. BUT if *Manlius* was not guilty of designs against the LIBERTY of his Country, nor of slandering the Senators, what was it that made them so unanimously combine to destroy him? I answer; His singular merit, his honest zeal for the LIBERTY of his fellow-citizens the poor Plebeian debtors, continually exposed to become slaves to their merciless Patrician creditors; [Consensu opprimi popularem virum, quod primus a patribus ad plebem defecisset.] His reproaching the Nobles severely in words, and more severely by his example, with their rapaciousness, avarice, and oppressive usury; and his urging them to do, freely and from virtue, what a

^a Magna pars [Senatûs] vociferantur Servilio *Abala* opus esse qui non in vincula duci jubendo irriter publicum hostem, sed unius jacturâ civis finiat intestinum bellum. Decurritur ad leniorem verbis sententiam, vim tamen eandem habentem, ut videant Magistratus, ne quid ex pernicioso consilio M. Manlii republica detrimenti capiat. Lib. 6. c. 19.

few years after, they were constrained to do by an act of the legislature, an act passed by the Tribes, in spite of the most vigorous opposition from the Senate, aided by CAMILLUS, then Dictator, and by a majority (which the Senate had gained over to them) of the Tribunes of the Commons: I mean that LAW, which, to relieve the debtors, ~~deducted~~ from the principal debt whatever sums had been paid for interest. It was but seven years after the death of *Manlius*, that *LICINIUS STOLO* proposed that LAW: which, with two other Laws, he, after a ten years struggle, prevailed to have enacted; much to the benefit of the Commonwealth, as will be seen in the sequel of the story. Whatever appearance of injustice it may have to make a law on purpose to hinder those, who have fairly lent their money, from exacting what by contract is legally due to them from the borrowers; such a law was absolutely necessary at this time, in order to preserve to the Commons of *Rome* any appearance of freedom. And the very passing of this law, notwithstanding so mighty an opposition made to it, is alone a cogent proof, that the oppression which they suffered was excessive, and the distemper of the state such as required extraordinary and violent remedies. If we consider the words with which *Livy* furnishes the Centurion *, (whom *Manlius* delivered out of the hands of his creditor) and the speech of *Manlius* †, to the Dictator *Cornelius Cossus*, we shall have a just idea of the miserable condition of the Commons, and of the relief proposed by their brave and generous advocate. For it is evident (as the reader will find) from the following parts of *Livy's* narrative, that he does not make the two speakers exaggerate the grievances of the Commons, or make them say more than was strictly true concerning the cruel oppression which the poor debtors laboured under: And the very remedy proposed by *Manlius* was one of those remedies that, very soon after, were by the legislature judged necessary to be employed.

LIVY and *PLUTARCH* represent the zeal of *Manlius* in behalf of the debtors, as having its source in envy and anger, envy to *CAMILLUS*, and anger against the SENATE for preferring that rival before him to govern the State and command the army. Doubtless in the year 369, when *Manlius's* popularity is said to have alarmed the Senate, he had just cause to think himself unworthily and injuriously neglected by them. But that THIS NEGLECT of him was not the CAUSE, but the EFFECT of his ZEAL for the poor debtors, will I think appear from the following considerations.

A braver soldier than *Marcus Manlius* the Roman State had never produced. The Military rewards which he received from the Generals, under whom he served, are an incontestable proof of it; and in the year 361, two years before his most celebrated exploit of saving the Capitol, he had been honoured with the Consulship. And yet after that important service (in 363) we never see him in any magistracy whatever. How shall we account for this? It may easily be granted, that *CAMILLUS* was superior, in abilities, to *Manlius*, and to every other Roman of that time, for the conduct of an army; and this may furnish a plausible reason, why the Senate, in pressing and extraordinary exigencies, had recourse to those abilities. But since no less than six persons were every year chosen to the Military Tribuneship (except in the year 364, when the Senate continued *Camillus* in the Dictatorship, that he might hinder the people from removing to *Veii*) and since there had been five elections in the time between the Gauls departure and the commotion occasioned by the generosity of *Manlius* in 369, how came it to pass, that a Patrician of such high birth, a hero so applauded and extolled at the time of the siege, was never after appointed to be one of the six governing magistrates? His brother, *Aulus Manlius*, who had no merit (that we read of) to recommend him, was nevertheless a Military Tribune in the year 365, and again in 369, the very year in which the Senate created *Cornelius Cossus* Dictator to quell the commotion raised by the liberality of *Marcus*.

May we not fairly gather from this uninterrupted exclusion of *Marcus* from the Magistracy after the rebuilding of the city, that he began about that time to dis-

oblige *Camillus*, and the other Oligarchs; and that their discontent with him was on account of his compassionate concern, warmly expressed, for the poor *Plebeians*, loaded with debt, and who had lately *increased the burthen by borrowing money to build their houses*, as *Livy* informs us?

It ought here to be remarked, that the necessity of borrowing money to ~~build~~ was a necessity to which they were subjected, merely by the Senate's refusing to let them remove to *Veii*; which removal, after the total destruction of Rome by the *Gauls*, would in all appearance have been a very reasonable measure: But it would not have been consistent with the views of the Oligarchs, who were bent upon making to themselves immense estates out of the newly conquered *Latintan* territory.

It is not indeed unlikely, that *MANLIUS* (who unquestionably saved the Capitol) was discontented to see *Camillus* (who unquestionably did not drive away the *Gauls* and save the gold) so distinguished by the Senate, as if he alone was qualified to command an army. And *Manlius* might with the more reason be dissatisfied, as he knew, that *Camillus's* chief merit with the *Fathers* was not his *military skill*, but his skill and inclination to keep the *Plebeians* in extreme indigence, and thereby in a state of servitude to the *Patrician* usurers. *Livy*, though he seems to have made it a rule to himself, always to speak respectfully of the Senate, yet tells us, "that, when the election of Military Tribunes, for the year 354, was coming on, the attention of the *Fathers* to that affair and their concern for the event were very near being greater than their care about the war:" And yet the *Romans* were at that time engaged in the important siege of *Veii*: And he likewise tells us, "That the Senate, when, in the year 359, by using their utmost efforts, they got *Camillus* into the Military Tribuneship, pretended, that it was to provide the Republic with an able general, but that their real motive was to provide themselves with a magistrate, who would oppose the Tribunes bill for a distribution of the publick lands:" So that *Manlius*, who was as compassionate and generous as he was brave, needed not the incitement of ambition or envy to make him displeased with the Senate's throwing so much power into the hands of a man, whose temper and character made him very unfit to be at the helm of a free state.

Just reasons unquestionably there were, why *CAMILLUS*, though an exile on account of male-administration, was by an act of Senate and People recalled from banishment and created Dictator in the year 363, when the *Gauls* invested the Capitol: But the reasonableness of continuing him in the Dictatorship throughout the year 364 may very well be questioned. For it is not evident, that, in this unprecedented step, they had any view to the good of the publick; and it is plain beyond a doubt, that they had a view to their private interests: That by the means of *Camillus*, invested with the terrors of absolute power, they purposed to keep the People at a distance from *Veii*, and thereby to hinder them from having their just share of the conquered lands, and likewise from seeing how shamefully the Oligarchs made themselves rich by robbing the commonwealth. For that these were their principal objects appears from the whole thread of the history of these times.

We have seen that the *Fathers*, when in the year 360, by tears and intreaties and Vid. sup. talking much about religion, they had prevailed to have the [very unreasonable] bill, P. 435. for dividing the Senate and People between Rome and *Veii*, rejected, were in such joy for their victory, that, the next morning, they passed a decree for assigning to every freeman of Rome seven acres of the lands of *Veii*. Doubtless this decree, though re-

^a Jam Comitia Tribunorum Militum aderant, quorum prope major Patribus, quam belli cura erat. L. 5. c. 14.

^b Comitibus Tribunorum Militum patres

summa ope evocabant, ut M. Furius Camillus crearetur. Propter bella simulabant parari ducem, sed largitioni tribunicia adversarius querebatur. L. 5. c. 26.

presented by *Livy* as an act of voluntary bounty, when joy had opened and dilated the hearts of the Senators (not apt to such effusion of goodness) was made in performance of a promise, by which they had gained a majority of the Tribes to vote against the bill in question. And there is some reason to doubt, whether they ever put the decree in execution. And, if they did, it would seem, that they very soon got the land back again out of the hands of the poor *Plebeians*, and probably * in * *Vid.* satisfaction of interest for money they had lent to those *Plebeians*. For *Livy* intro. supr. p. duces one of the Tribunes, in that long contest which began about thirteen years 435 after this notable bounty, expostulating with the principal Senators, *How they could have the confidence to desire that every one of them might be allowed to possess more than 500 acres of land, while no more than two acres was allowed to each Plebeian?*

To return to *CAMILLUS*: He was again created Dictator in 365; and Military Tribune (for the fourth time) in 368, and again in 370, and invested with absolute power, purposely to destroy *MANLIUS*. Though *Camillus* had five Collegues, *Plutarch* represents him as principal in the prosecution, and as the Magistrate who removed the Assembly to a place whence the Capitol could not be seen: Which makes *M. Dacier* ask, "But why was *Camillus* so eager to get *Manlius* condemned, a person of such eminent merit, and who had served so well? Why did he not leave that melancholy honour to his Collegues?" He adds, "*Livy*, to avoid throwing all the odium of the action upon *Camillus* alone, says, *That the [Military] Tribunes, perceiving the effect which the sight of the Capitol produced*, &c."

M. Dacier might have found perhaps a satisfactory answer to his question, if he had attended to what *Plutarch* says in his comparison of *Camillus* with *Themistocles*. The biographer, though he sometimes extols the Roman hero to the skies, yet leaves it doubtful, "Whether it was the love of liberty and of his country, that made him prosecute *Manlius* to death, or whether his hatred to *Manlius* was not owing to a secret jealousy of a rival, illustrious by many noble exploits, and especially by that of saving the Capitol; whence he acquired the surname of *Capitolinus*."

But, without having recourse either to *Amor Patriæ*, or to any supposed jealousy of a rival for military Glory, it would seem that we may well account for *Camillus*'s being the chief actor in the destruction of *Manlius*. This humane, generous, noble-spirited hero, by his civil and social virtues, reproached, eclipsed, and dishonoured the invincible *Camillus*; and, by patronising the cause of the distressed *Plebeians*, opposed the gratification of his (seemingly ruling passion) avarice.

A late celebrated author observes, "That the writers of particular lives are apt to Dr. Midd. be partial and prejudiced in favour of their subject, and to give us a *Panegyrick*, instead of a *History*"—and that "this seems to flow from the nature of the thing itself, where the very inclination to write is generally grounded in prepossession, and Cicero. an affection already contracted for the person whose history we are attempting; p. xvi. and, when we sit down with the disposition of a friend, it is natural for us to cast a shade over his failings, and to give the strongest colourings to his virtues."

* Auderentne postulare, ut quum bina jugera agri plebi dividerentur, ipsis plus quingenta jugera habere liceret? Ut singuli prope trecentorum civium possiderent agros, plebeio homini vix ad tectum necessarium, aut locum sepulturæ, suus pateret ager? *Liv.* L. 6. c. 36.

And in lib. 6. c. 21. *Livy* informs us, that the Senate (in the year 371, just after the murder of *Manlius*) to engage the People's consent to a declaration of war, passed a Decree for dividing the Pomptin Territory

among them. Yet we do not find, that this was done till many years after the Decree.

^b Mais pour quoi *Camillus* poursuivoit-il avec tant d'ardeur la condamnation de *Manlius*, d'un homme de ce mérite & qui avoit si bien servi? Que ne cedoit-il ce triste honneur à ses collègues? Aussi *Tite Live*, pour ne pas faire tomber toute la haine de cette action sur *Camillus* seul, dit, *Que les Tribuns s'étant appercus de l'effet que cette vue produisoit*, &c.

Perhaps there is not a more striking instance of the truth of what is here said, than PLUTARCH's *Life of CAMILLUS*. It abounds with indications of an extreme partiality. He extols the only *good* action (*recorded*) of his hero, greatly beyond its merit; and discovers a most friendly disposition to believe, that he never *did* any thing wrong.

Certainly it required no extraordinary elevation of soul, nor any thing beyond common prudence and policy, and a moderate sense of honour, to act as *Camillus* did, with relation to the school-master of *Falerii*. It was one of those parts of conduct, the performance of which does not render a man so praise-worthy as the non-performance of them renders him infamous. Yet, from *Plutarch's* admiration of the deed, one would imagine it to be something so glorious as not to be looked at without having the eyes of our minds dazzled with its brightness.

Vid. sup. p. 429. CAMILLUS was, by the Roman People, thought guilty of *impious vanity*, when with his *face painted red*, and in a chariot drawn by *white horses*, he rode in triumph for the conquest of *VEII*. What says our biographer to this? Why truly he is of opinion, "That we may reasonably presume the Gods would not have showered down so many favours upon *Camillus*, if he had really offended them by any impiety."

But did not *Camillus* imbezzle and appropriate to his private use some of the wealth belonging to the publick? Of this he was accused; and he was cited to appear in judgment before the People to answer the charge. Neither the principal men of his Tribe, nor his *Clients* (which, says ^a *Livy*, made a considerable part of the *Commons*) nor (according to *Plutarch*) his *Colleagues* heretofore in office, nor his *Friends*, when all were assembled to consider of his case, would give him any hopes of escaping condemnation: So, to avoid a trial, he ran away, cursing his countrymen. One would naturally conclude from these particulars, that he was guilty. No, says *Plutarch*, "the Gods declared him innocent, by bringing the *Gauls* against *Rome* to "revenge his cause, and punish the *Romans* for their unjust treatment of it."

And the biographer will have it "that he was banished for his steady opposition "to the *BILL* for removing half of the *Senate* and *People* to *VEII*;" which Bill (if we may credit *Livy*) the people themselves, moved by the intreaties of the Senators [and probably more moved by a promise of seven acres of the lands of *Veii* to each of them] had rejected three years before this prosecution.

Indeed it is highly probable, that, long before the impeachment of *Camillus*, the greater part of the *Plebeians* had received impressions much to his disadvantage: For the whole series of his conduct towards the *Commons* appears, even from the accounts given of it by his Panegyrists, to have been base and detestable; so base, that one may reasonably wonder how it could happen, that *Camillus* should be such a favourite character as he certainly is with most readers of ancient history. However, this may perhaps be sufficiently accounted for by the same reflections which the ingenious writer, before quoted, makes on another occasion:

Midd. Life of Cicero, Pref. p. xvii. "Among the celebrated names of antiquity, those of the great conquerors and "generals attract our admiration always the most, and imprint a notion of magnanimity, and power, and capacity for dominion, superior to that of other mortals:—these are the only persons who are thought to shine in history, or to merit the attention of the reader: dazzled with the splendor of their victories, and

^a — M. Furium ab urbe amovere. Qui die dicta ab L. Apuleio tribuno plebis, propter prædam Veientanam, filio quoque adolescentem per idem tempus orbatum, quum accitis domum tribulibus, et clientibus,

quæ magna pars plebis erat, percunctatus animos eorum responsum tulisset, *Se collaturus quanti damnum esset, absolvere eum non posse*, in exilium abiit. L. 5. c. 32.

“ the pomp of their triumphs, we consider them as the pride and ornament of the
 “ *Roman* name ; while the pacifick and civil character, tho’ of all others the most
 “ beneficial to mankind, whose sole ambition is to support the laws, the rights and
 “ liberty of his citizens, is looked upon as humble and contemptible on the com-
 “ parison, for being forced to truckle to the power of these oppressors of their
 “ country.”

That *Camillus* was superior in military skill to all his cotemporaries, and that he did important service to his country by many victories in the field, is not to be disputed. But, when we have granted thus much, what is there more to say in his praise ? How scandalous an appearance does he make as a citizen, a member of a Republick erected on the principles of Liberty ?

1. He is reported to have vowed the tenth of the spoil of *VEII* to *APOLLO*, in case the *Romans* should become masters of the place.

Livy says, that *Camillus* made this vow just before he assailed the walls : According to *PLUTARCH*, it was before he set out from *Rome* to go to the siege : And it seems most probable from the sequel of the story, that, neither before nor after he left *Rome*, did he ever act so senseless a part : But that when he and the Senate, thinking that the poor soldiers had got too rich a reward of their labours (during a ten years siege) wanted to rob them of part of it, he then falsely pretended to have made the vow in question. For should we grant, that the general of a *Roman* army might, from certain religious prepossessions, without being out of his senses, really intend to make a present of a tenth part of the wealth of *Veii* (the richest city of *Tuscany*) to the *Grecian* Priests of *Apollo* at *Delphi* ; I say, supposing this, How came it, that *Camillus* did not in due time, and before the booty was carried off, acquaint the soldiers with his act of devotion ? Why truly, He had forgot it ; the *Vid. supr.* worst, says *Plutarch*, and the most ridiculous of all excuse. The soldiers nevertheless, p. 430. threatened with the anger of the Gods, paid into the publick stock the value of a tenth of what they had brought home.

2. Fraud and imposture succeeding so well, a new trial of it is made the next year. The poor citizens being many of them eagerly bent on removing to *VEII*, that they may get a reasonable share of the lands belonging to it, *Camillus*, to throw a religious obstacle in their way, is pleased then to have a new scruple : He recalls to mind, that *Vid. supr.* his vow to *Apollo* had comprehended, not only the moveables, but the city of *Veii*, p. 431. and all its territory. The Senate have tender consciences, and therefore refer this nice case to the Pontifices, the Casuists of the State. These, having discoursed with *Camillus*, had informed themselves satisfactorily of his Intention when he made the vow, are clear in opinion, that *Apollo* must have the tenth of whatever had, before the vow, belonged to the *VEIENTES*, and had, since the vow, fallen into the power of the *ROMANS*. [Not a word however of the money raised by the sale of *Vid. supr.* the captives, and transmitted to the publick treasury (that is to say, transmitted to p. 428. *Rome* for the use of the leading men of the Senate :) For though the persons of the *VEIENTES* had fallen into the power of the *Romans*, yet the Casuists, it is likely, might hold that, the persons of the *VEIENTES* being the *Veientes* themselves, they

* *Plutarch*, in comparing the exploits of *Camillus* with those of *Themistocles*, intimates that there is so much of surprise and of the *Merveilleux* spread over the actions of the *Roman* as made them better subjects for painters and poets than for historians.

b Quum ea disceptatio anceps senatui visa, delegata ad pontifices esset, adhibito

Camillo, visum collegio, quod ejus ante conceptum votum *Vientium* fuisset, & post votum in potestatem populi *Romani* venisset, ejus partem decimam *Apollini* sacram esse. Ita in ultimam urbem agerque venit : pecunia e acrio prompta, et tribunis militum consularibus, ut aurum e ea coemerent, negotium datum. L. 5. c. 25.

could not properly be said to *belong to the Veientes*, and so were not comprehended within the vow.] Well but how shall *Apollo* get his due? The tenth of the houses and lands of *Veii* cannot be sent to *Delphi*. *Camillus* and his associates have an easy expedient for this. They get the town and territory *appraised*, and they pay out of the publick treasury, into their own hands, the tenth of the value; that they may buy gold to make a cup for *Apollo*. [The God was to have had a cup before the appraisement, and he gets nothing more now: No; but the Senate find their account in this transaction. For, the publick having purchased, of the God, his tenth of the city and lands of *Veii*, and this tenth not being divided from the rest, it is become impracticable for the people to put their project in execution, till the Senate shall think proper to ascertain and set out the particular houses and lands that belong to the publick, in virtue of the late purchase.]

LIVY exhibits to his reader this whole scene of oppression, knavery, and religious imposture, and makes *Camillus* the principal actor in all: And yet speaks of him as the glory of *Rome* at this time, and the envy of *M. Manlius*.

On the other hand, though the historian (wanting proof) *first supposes* Marcus Manlius to have been actuated by pride, envy, and ambition, and *then invents* for him words and discourse, such as a man, under the influence of those passions might possibly utter, yet it is to be remarked, that he mentions not any one thing as *certainly done by Manlius*, but what is praise-worthy.

And from these observations one would be inclined to think, that the oldest traditions, and perhaps the first written accounts concerning the transactions of those times, were all favourable to *Manlius*, and much to the disadvantage of the Senate and *Camillus*: But that the later historians (and LIVY in particular) who on many occasions do evidently consult the glory of the *Romans*, and especially of the Senate, more than truth, perceiving plainly, that, in the minds of strangers and of posterity, the venerable *Fathers* and *Optimates* of those days would be much disgraced, if it remained an established point of history, *That an eminent Patrician, a man distinguished for his bravery and gallant exploits, and who had done essential service to the State, was assassinated by them, only because he impoverished himself to relieve poor debtors, and warmly declaimed against excessive usury*; the later historians, I say, to cover, in part, the infamous conduct of *Camillus* and the *Patrician* faction, thought it convenient to suppose (without evidence) the truth of what that faction imputed to *Manlius*, when they had determined to cut him off. Accordingly those writers have reported, that in all probability *Manlius* (otherwise a *Roman* of eminent virtue) was seized with the *Cupiditas Regni*, and endeavoured to make himself king of *Rome*. Of this charge against him *Livy* confesses that he found no proof, except his good deeds, (his liberalities, and some seditious discourse, that is to say, some discourse against exorbitant usury, cruelty to insolvent debtors, and robbing the publick; of all which the chief men of the Senate were notoriously guilty: For it is to be observed, that, with LIVY, *sedition* frequently signifies nothing more than opposition to the desires and measures of the Senate.

If it be granted (as surely it will) that, in order to form just ideas of the merit or demerit of those men who make the principal figures in history, we must attend chiefly to what they *did*, and not to the *characters* given of them by their historians, *M. Manlius Capitolinus* will, I think, appear to have been an honest benevolent, gene-

* Vid. sup. p. 254 & seq. The same distemper had, with equal truth, been imputed to *Spurius Cassius**, and in after times was imputed to *Tiberius Gracchus* and his brother *Caius*. This stratagem of the Senate, when they wanted to destroy an adversary by the hands of the *Roman* peo-

ple, was somewhat like pointing out to our populace a man, as bit by a mad dog, and incurable, and whom it is necessary to destroy in order to prevent mischief. The latter is not so malicious, because not so certainly fatal, as was the other.

rous, open-hearted, brave soldier, a friend to just liberty; the invincible *M. Furius Camillus*, a vain, hypocritical, avaricious robber of the publick, the champion of tyrannical usurers, and the murderer of the best man in the Commonwealth. Always a hero in the field, always an oppressor in the city, he opposed for ten years together the enacting of those LAWS, to the execution of which, when enacted, were owing the liberty, the virtue, the glory, and the empire of the Romans^a. I mean the laws proposed by *Licinius Stolo*, in the year 377, and passed by the Tribes in 386. A writer, on no occasion partial to the *Tribunes of the Common*, tells us, Dr. Midd. Pref. to Life of Cicero, p. xxxvii. that “they never left, teizing the Senate with fresh demands till they had laid open to the *Plebeian* families a promiscuous right to all the magistracies of the Republick, and by that means a free admission into the Senate.” He adds, “Thus far they were certainly in the right and acted like true patriots; and after many sharp contests had now brought the government of Rome to its perfect State; when its honours were no longer confined to particular families, but proposed equally and indifferently to every citizen; who by his virtue and services, either in war or peace, could recommend himself to the notice and favour of his countrymen.” To hinder this improvement of the constitution, and to keep the *Plebeians* in a slavish dependance on insatiable *Patrician* usurers, were the chief objects of the care of the great *Camillus*, in his old age. Created Dictator by the Senate (in the year 385) for no other end, but that he might abuse the power annexed to that office, he (to answer the purpose of his creation) by menaces, and by his lictors, drove the people from the Forum, when they were going to enact the most excellent Laws. The two Tribunes, however, not dismayed hereby, and knowing his weak side, quickly frightened him, by an attack there, into an abdication of his Dictatorship. *Plutarch* speaks only of their threatening him with a heavy fine; but *Livy* tells^b us, that, according to some writers, the Tribunes actually got a Law passed by the Commons, subjecting him to that heavy fine, in case he interposed his authority of Dictator, to hinder the proceedings of the Comitia. Be that as it will, *Camillus*, after mention of the fine, suddenly laid down his sovereign magistracy, under pretence, says *Plutarch*, of bodily indisposition. The *Latine* historian, very unwilling to believe that the Hero retreated through fear, gives four or five reasons against that opinion; and is inclined to think, that he quitted his post out of a religious scruple, relating to some new discovered defect in the ceremony of his inauguration: But if the love of riches was the Hero’s ruling passion, as it seems to have been, this will furnish a sufficient answer to twenty better reasons than *Livy* has produced; and, by the account which *Plutarch* gives of the insult offered to the Hero the next year when he was again Dictator, and of the meek part he then acted, it appears (if the story be true; for *Livy* says nothing of it) that the Tribunes, by threatening to make him pay, had totally subdued his spirit.

I conclude from the whole of these Remarks, that *MANLIUS*, innocent of all designs against the liberty of his country, fell a sacrifice to the avarice and ambition of *CAMILLUS*, and the other Oligarchs, his associates in oppressive iniquities.

^a In the introduction of the fourth book of this history, the reader will find some reflections on the excellency of these laws; and he may find the same reflections inserted in the preliminary discourse of the ingenious author of the new translation of *Cæsar’s Commentaries*.

^b — re neutro inclinata magistratu se abdicavit: seu quia vitio creatus erat, ut scripseret quidam; seu quia tribuni plebis tulerunt ad plebem, idque plebes scivit, ut si *M. Furius* pro dictatore quid egisset, quingentum millium [æris] ei multa esset. L. 6. c. 38.

C H A P. III.

§. I. During the six following years and the beginning of the seventh Rome is almost intirely free from civil dissensions; but wars are carried on abroad against the Prænestini and Volsci with very little interruption. Camillus, being one of the Military Tribunes in the year 373, gives a remarkable proof of his moderation, when disrespectfully treated by one of his Collegues.

Year of R O M E cccxxi. Bef. J. C. Three hundred eighty-one. **AULUS * MANLIUS** [probably an infamous usurer, and for that reason not consenting to the death * of his brother *Marcus*] was chosen one of the *Military Tribunes* at the very next election, and with him were joined † *L. Valerius*, ‥ *Ser. Sulpicius*, § *L. Lucretius*, ‡ *I. Æmilius*, and *M. Trebonius*. The plague still raged, and, to add to the misfortune, *Rome* was not only threatened again by the *Volsci*, but by some of her own colonies which revolted; so that the Senate found it necessary to engage the People's consent to a war. And in order to this they promised to divide the *Pomptin* territory among them, and named five Commissioners to make the distribution of lands, and three others to lead a colony to *Nepete*. Hereupon the Tribes unanimously agreed, notwithstanding the opposition of the Tribunes, that troops should be raised to act against the several enemies of *Rome*. Accordingly troops were raised; but, the plague continuing, the *Military Tribunes* durst not lead them into the field. And, though *Præneste* followed the example of *Velitræ*, *Circæi*, and other colonies, the low condition of the Republick obliged her to suspend her resentments.

Thirty-ninth Mil. Tri. Liv. B. 6. c. 21. * A third time. † A 4th time. ‥ A 3d time. § A 3d time. ‡ A 3d time. Y. of R. 372. Bef. J. C. 380. But in the following *Military Tribuneship* of *Sp. Papirius*, *L. Papirius*, ** *Ser. Cornelius*, *Q. Servilius*, *Ser. Sulpicius*, and †† *L. Æmilius*, the two first marched an army towards *Velitræ*, and in the neighbourhood of that place defeated the *Veliterni*, tho' joined by great numbers from *Præneste*. The generals did not think it adviseable to besiege *Velitræ*, but rather to pursue the war with vigour against the *Prænestins*, who had farther provoked the *Romans* by assisting the *Volsci*.

Fortieth Mil. Tri. ** A 4th time. †† A 4th time. Liv. B. 6. c. 22. Y. of R. 373. Bef. J. C. 379. And now the Republick, having much work upon her hands, turned her eyes again upon the invincible *Camillus*, to raise him a sixth time to the *Military Tribuneship*. *Camillus*, apprehensive of the vicissitude of fortune, was willing to spend the remainder of his days in tranquillity: But in vain he endeavoured to excuse himself, by pleading his age and infirmities; the People declared, that they did not expect him to fight in person either on foot or on horseback, but only desired him to assist the army with his counsel, and make it invincible by commanding it. *A. Posthumius*, *L. Post-*

41st Mil. Trib. * *Aulus Manlius* was one of the *Military Tribunes* when the *Patricians* made the first attempt to destroy his brother, in the year 369. of *Camillus* p. 48. *humius*,

humius, L. Furius, L. Lucretius, and M. Fabius Ambustus, were chosen to be his Collegues. The Senate decreed the conduct of the war against the *Volsi* to *Camillus*; it fell by lot to *L. Furius* to be joined with him. Their troops consisting of four legions marched towards *Satricum*, which the *Volsi* and *Prænestins* had lately taken, and where they had formed their camp. *Camillus* posted himself at a small distance from the enemy, but was in no haste to fight; he either waited for better health, or to receive a reinforcement of troops. In the mean time the *Volsi* endeavoured to provoke the *Romans* to a battle, and these grew impatient of the insult. Their ardour for fighting was increased by the rash discourtesies of young *Furius*, who imputed the prudent delays of his Collegue to his age, which, he said, had chilled his blood. He at length addressed himself to *Camillus*, reproached him with his inaction, and urged him to comply with the desires of the soldiers. *Camillus* answered with an air of superiority, but with great temper, That hitherto the *Roman* People had not been dissatisfied with his conduct in war; that, nevertheless, if the impetuosity which hurried the soldiers on to an engagement was not to be restrained, he wished them success, but desired to be excused, on account of his age, from engaging in the foremost ranks. While *Furius* drew up his troops in order for battle, *Camillus* prepared a *Corps de Reserve* to assist his Collegue in case of distress; and this precaution proved of great importance: For when the young General, whose vigorous charge did not fail to put the *Volsi* to flight, had, through his indiscreet warmth in pursuing them too far, suffered a defeat, *Camillus* rallied the broken cohorts, and repulsed the enemy. The next day he joined battle with them again. *Furius*, whom he had placed at the head of the cavalry, being sensible of his fault, intreated his troops to exert themselves to recover his reputation. Accordingly, when the infantry were hard pressed, the horse, at his request, dismounted, and gave them assistance so opportunely, as to make them victorious. Among the prisoners were found some of the inhabitants of *Tusculum*, a neighbouring city, and in alliance with *Rome*. These, being examined, declared that they had taken arms with the consent of their Magistrates. This account alarmed *Camillus*, and he thought it necessary to go in person to *Rome* with the prisoners, and lay the matter before the Senate. Though he left *Furius* to command the troops during his absence, yet it was generally believed both in the army and in the city, that his chief business at *Rome* was to complain of him. The Senate therefore when they observed that he said nothing of *Furius*, but confined his discourse to the revolt of the *Tusculans*, were much astonished; and still more so, when of all his Collegues he chose *Furius* to accompany him in the new expedition against *Tusculum*. By this conduct *Camillus* gained honour to himself, and covered the disgrace of the young General [probably his kinsman.] As for the *Tusculans*, they disarmed the resentment of the *Romans* by making no resistance. *Camillus* found the husbandmen at work in the fields, as in times of the profoundest peace; the

Year of
R O M E
ccclxxiii
Bel. J. C.
Three
hundred
seventy-
nine.
Forty-
first
Mil. Tri.
A 3d
time.
Plut. Life
of Camil-
lus, p. 148
Livy, B.
6. c. 21.

c. 24.
Plut. Life
of Camil-
lus, p.
149.
Livy, B.
6. c. 25.

Year of R O M E cccclxxiii B. J. C. Three hundred seventy-nine. Magistrates of the city sent him provisions, and came out to meet him ; and when he entered the place he found the shops and schools open, the markets full, and not the least sign of war. The Generals, pleased and satisfied with these tokens of repentance, advised the Senate of *Tusculum* to send a Deputation to *Rome*, there to make their submission. Deputies were accordingly dispatched, who, habited in mourning, and with their *Dictator* at their head, addressed the *Conscript Fathers* in a suppliant manner.

Forty-first Mil. Tri. Livy, B. 6. c. 26. The Senate readily forgave the *Tusculans*, and, to make them intirely *Roman*, granted them, soon after, the privileges of *Roman* citizens.

Year of R O M E cccclxxiv. B. J. C. Three hundred seventy-eight. The following administration of * *L. Valerius*, † *P. Valerius*, § *I. Menenius*, || *C. Sergius*, Sp. *Papirius*, and ‡ *Ser. Cornelius*, was disturbed by domestic seditions and a foreign war. The two *Censors* had begun to examine into the grounds of the complaints made by the poor debtors; when one of those Magistrates died ; upon which the other, as custom required, laid down his office, and the *Romans* proceeded to a new election. But the *Patricians*, who were doubtless afraid of a *Census*, (because it must of course discover the riches and excessive usury, and the oppression which the poor debtors laboured under) pretended some defect in the election, and thence took occasion to declare publicly, that it was against the will of the Gods, that the Republick should have any *Censors* this year. The *Tribunes of the Commons* exclaimed against this proceeding, as an intolerable artifice ; and would suffer no levies to be made to oppose the *Prænestins*, till these, imboldened by the Discord in *Rome*, came pillaging to its very gates. Then in a fright and a hurry the People all ran to arms, *Titus Quinctius* was created *Dictator*, troops were raised without opposition, and the *Prænestins* (such a dread they had of a *Dictator*) instantly removed farther off. Possess'd with a vain conceit, that the banks of the *Allia* must always prove a fatal place to the *Romans*, they incamped there, and were there routed. The *Dictator*, by assault, took eight towns subject to *Prænestine*, and then *Velitæ* ; after which *Prænestine*, without waiting to be attacked, capitulated. From that city *Quinctius* brought, in triumph, the statue of *Jupiter Imperator*, and placed it in the *Capitol* between the sanctuaries of *Jupiter Capitolinus* and *Minerva*, and then abdicated his Dictatorship, which he had held only twenty days.

Forty-second Mil. Tri. Livy, B. 6. c. 27. * A 5th time. † A 3d time. § A 2d time. || A 3d time. ‡ A 5th time. Livy, B. 6. c. 28. c. 29. The Government of the Republick passed now into the hands of three *Patricians* and three *Plebeians* : The former were *P. Manlius*, *C. Manlius*, and ** *L. Julius* ; the latter *C. Sextilius*, *M. Albinus*, and *L. Antistius*. To the two *Manlii*, because more nobly born than their *Plebeian* Collegues, and more in favour than *Julius*, the Senate gave the conduct of the war against the *Volsi*, but had soon cause to repent of this preference : For those Generals, without first acquainting themselves with the country, sent out some cohorts to forage ; and, upon the single report of a *Latine*, who, disguised under the appearance of a *Roman* soldier, came hastily with the false tidings, that the foragers were by the enemy intercepted and surrounded, marched the army with all expedition to their rescue, and thereby fell into an ambush, where the desperate courage alone of the soldiers (not the

Year of R O M E cccclxxv. B. J. C. Three hundred seventy-seven. The Government of the Republick passed now into the hands of three *Patricians* and three *Plebeians* : The former were *P. Manlius*, *C. Manlius*, and ** *L. Julius* ; the latter *C. Sextilius*, *M. Albinus*, and *L. Antistius*. To the two *Manlii*, because more nobly born than their *Plebeian* Collegues, and more in favour than *Julius*, the Senate gave the conduct of the war against the *Volsi*, but had soon cause to repent of this preference : For those Generals, without first acquainting themselves with the country, sent out some cohorts to forage ; and, upon the single report of a *Latine*, who, disguised under the appearance of a *Roman* soldier, came hastily with the false tidings, that the foragers were by the enemy intercepted and surrounded, marched the army with all expedition to their rescue, and thereby fell into an ambush, where the desperate courage alone of the soldiers (not the

Forty-third Mil. Tri. ** A 2d time. Livy, B. 6. c. 30. The Government of the Republick passed now into the hands of three *Patricians* and three *Plebeians* : The former were *P. Manlius*, *C. Manlius*, and ** *L. Julius* ; the latter *C. Sextilius*, *M. Albinus*, and *L. Antistius*. To the two *Manlii*, because more nobly born than their *Plebeian* Collegues, and more in favour than *Julius*, the Senate gave the conduct of the war against the *Volsi*, but had soon cause to repent of this preference : For those Generals, without first acquainting themselves with the country, sent out some cohorts to forage ; and, upon the single report of a *Latine*, who, disguised under the appearance of a *Roman* soldier, came hastily with the false tidings, that the foragers were by the enemy intercepted and surrounded, marched the army with all expedition to their rescue, and thereby fell into an ambush, where the desperate courage alone of the soldiers (not the

skill

skill of the commanders) preserved them from total destruction; and the *Volsci*, during the action, detached a part of their troops, which surprised and plundered the *Roman* camp. When the news of these disasters came to *Rome*, the Senate were at first for naming a Dictator; but judging by the inaction of the conquerors, that they knew not how to improve a victory, it was only resolved to call home the army and its commanders. During these misfortunes abroad, *Rome* continued free from all domestic broils; which may reasonably be imputed to the share the *Plebeians* had at this time in the Government.

The next year, when *Sp. Furius*, * *Q. Servilius*, *C. Licinius*, *P. Clælius*, *M. Horatius*, and *L. Geganius*, all *Patricians*, held the *Military Tribuneship*, was far from being to peaceable. What gave occasion to the disturbance were the debts. To inquire into these, two *Censors* had been created; but they could not proceed in the affair, because of a fresh irruption of the *Volsci* into the *Roman* Territory. The *Tribunes of the Commons* however pursued their point with more warmth than ever, and opposed the levies, till they had forced the Senate to issue a Decree, that no person should be disturbed either for private debts, or for the publick taxes, during the present war. Hereupon all opposition to the levies ceased, and the *Romans* took ample revenge on the *Volsci*. But the war was no sooner at an end, than the creditors renewed the prosecution of their debtors; who, far from having any hopes of discharging their old debts, found themselves under a necessity of contracting new, on account of a tax imposed on them, to defray the expence of a wall of square stone, which the *Censors* were building; and the oppressed *Plebeians* could get no help from their *Tribunes*, because, no army being at this time wanted, these had no levies to obstruct.

NAY, the next year, when, by the powerful influence of the *Patricians*, six men of that order were again in the supreme magistracy, they raised, without any opposition from the *Tribunes of the Commons*, three armies, one to guard the City, another to be ready to march on any unexpected occasion, and a third to take the field under the command of *Valerius* and *Æmilius*, against the confederated *Latines* and *Volsci*, who had commenced hostilities, and were incamped near *Satricum*, a city of the *Volsci*. In this war the *Romans* had the advantage. The confederates, after sustaining some losses, quarrelled among themselves, upon the Question, Whether the war should be continued! The *Antiates* and the rest of the *Volsci* desired peace; the *Latines*, obstinately averse to it, separated from them in a rage, which they vented first on *Satricum*, reducing it to ashes, and sparing only a Temple of the Goddess *Matuta*. (This Divinity, according to

* L. ÆMILIUS, a fifth time,
S. SULPICIUS, a second time,
P. VALERIUS, a fourth time.

I. QUINT. CINCINNAT. a second time,
C. VETURIUS,
C. QUINTIUS.

Year of R O M E cccxxxii. Bel. J. C. Three hundred and seventy-five. Forty-fifth A.M. Tri.

Plutarch, was the same whom the *Greeks* called *Leucothea*, or *Ino*, Daughter of *Cadmus*.) Thence they fell upon the *Tusculans*, to punish them for having deserted the *Latine* Confederacy, and accepted the privileges of *Roman* Citizens. They surprised the Town, but the inhabitants retired into the Citadel, which they held out till they were relieved, probably by that *Roman* army which had been kept ready to march upon occasion. The *Romans* took the place by assault, and the *Latines* within the walls of it were all cut to pieces, not one escaping.

C H A P. IV.

§. I. *The lower sort of the People of Rome are over-awed and oppressed by the Great and the Rich; and the Commons in general lose that spirit and courage they formerly had in contending with the Nobles. In the midst of this extreme dejection, the vanity of a woman sets three bold and enterprising men at work to raise, by some New Laws, the fortune of the Plebeians higher than ever. By one of those proposed Laws (called afterwards the LICINIAN LAWS) the Consulship is to be restored, and, of the two Consuls, one is always to be Plebeian. The three men, who combine to effect this project, are M. Fabius Ambustus, the Lady's father, (a Patrician) C. Licinius Stolo, her husband, a Plebeian, and L. Sextius, another Plebeian, of great distinction. After ten years struggle with the Senate, they carry their point. The Prætorship and Curule Ædileship are instituted. A Plague carries off many persons of distinction among whom is the Great CAMILLUS.*

Year of R O M E cccxxvii. Bel. J. C. Three hundred and seventy-five. Forty-fifth A.M. Tri. Lib. B.C. 34. Next.

§. I. **A** TREATY concluded with the *Antiates*, and the defeat of the *Latines*, gave the Republick an interval of rest from foreign wars: but as the Senators and rich *Patricians*, when they stood in no need of the assistance of the lower sort, never failed to oppress them; so the more quietness there was at this time abroad, the more violence and tyranny did they exercise at home towards their *Plebeian* debtors. Multitudes of these being insolvent, were condemned to be *bond-slaves* * to their merciless creditors; which melancholy scene so depressed and sunk the spirits not only of the meaner *Plebeians*, but even of the most considerable of that order, that, far from having the courage to stand in competition with the Nobles for the *Military Tribuneship*, there was not among them all a man of ability and experience, who would sue for or consent to bear even the *Plebeian Magistracies*. But now, at this very crisis, when the *Patricians* seemed to

* Quanto magis prosperis eo anno bellis tranquilla omnia foris erant, tanto in urbe vis Patrum in libertatemque Plebis crecebat; quum eo ipso, quod necesse erat solvi, facultas solvendi impediretur. Itaque quum jam ex re nihil dari posset, fama & corpore judicati atque addicti creditoribus satisfaciebant, pœnaque in vicem fidei cesserat, Adeo ergo obnoxios summebant animos, non injuri solum, sed principes etiam plebis, ut non modo

to have secured to themselves for ever all authority in the state, and to have reduced the Commons to a kind of despondent subjection, a trifling accident gave occasion to a wonderful change in the face of things: The *Plebeians* on a sudden raised their drooping spirits, and with a dauntless ambition carried their pretensions, and with success too, higher than ever.

Year of
R O M E
ccclxxvii.
Bef. J. C.
Three
hundred
seventy-
five.

§. II. M. FABIVS AMBUSTUS, a *Patrician* of great credit in both parties, had two daughters, of whom the elder was married to S. *Sulpicius*, a *Patrician* by birth, and now Military Tribune; the younger to a rich *Plebeian*, named C. *Licinius Stolo*. One day when this *Plebeian's* wife was at her sister's house, a Lictor who walked before *Sulpicius* at his return from the Senate, thundered at the door (an usual thing) with the staff of the *Fasces*, to give notice that the Magistrate was coming. This noise, to which the wife of *Licinius* had not been accustomed, put her into a fright. Her sister, taking notice of it, could not forbear laughing at her, seeming much to wonder at her ignorance. A very small matter, says *Livy*, is sufficient to disturb the quiet of a woman's mind. The vanity of the younger *Fabia* was stung to the quick by her sister's laughing; it made her feel the inequality of their conditions; and her uneasiness did not fail to be increased by the crowd of people that came to pay their court to her sister, and receive her commands. Her father, happening to see her while she was yet in the first anguish of her grief, and perceiving by her countenance that something troubled her, kindly asked her what it was, and whether all was well at home. At first he could get no satisfactory answer from her: She was ashamed to own, either that she envied her sister, or was discontented with her husband. But, *Iabius* continuing, in soft words, to press her to disclose the secret, she at length confessed, that the true cause of her pain was her being married unsuitably to her quality, and into a family incapable of honours and high stations. The father, being very fond of his daughter, omitted nothing that could be said to comfort her, promising, that it should not be long before she saw at home the same honours which she had seen in her sister's house. And from this time he began to plot with his son-in-law for the interest of the Commons; these two associating in their projects L. *Sextius*, a young *Plebeian* of capacity and spirit, and who wanted nothing but a nobler birth to qualify him for the highest offices in the Republick. The oppression which the poor *Plebeians* laboured under at this time, and from which they could never hope to be freed, but by raising some of their own body to the supreme power, gave a fair occasion to the cabal to attempt an innovation in the Government. It was thought expedient, for the easier compassing their designs, that *Licinius* and *Sextius* should begin by getting the *Plebeian* Tribuneship, a magistracy that would inable them to

Forty-
fifth
Mil. Tri.

Livy, B.
6. c. 35.

ad Tribunatum Militum inter Patricios petendum, quod tanta vi, ut liceret, tendebant; sed ne ad Plebicos quidem imperatus capessendos, petendosque ulli viro acie experientique animus esset: possessionemque honoris usurpati modo à

plebe per paucos annos, recuperasse in perpetuum patres viderentur. Ne id nimis latum parti alteri esset, parva (ut plerumque solet) rem ingentem moliendi causa intervenit. M. Fabii Ambusti, &c.

Year of
R O M E
ccclxxvii.
Bef. J. C.
Three
hundred
seventy-
five.
City.
Mil. Tri.

open themselves a way to the highest dignities. And when they had carried that first point (which they soon did) they immediately bent all their thoughts and power to put the *Plebeians*, already not inferior to the Nobles in courage and virtue, upon a foot of equality with them in respect of honours too, boldly aiming, not at the Military Tribuneship, but at the very Consulship itself. They proposed a law for suppressing the office of Military Tribune, restoring the Consulate, and requiring that, of the two Consuls to be annually chosen, one should always be a *Plebeian*. And, in order to make the People more eager to pass this Law, they tacked it to two others relating to the *Debts* and the conquered *Lands*.

By the first of these two laws there was to be deducted from the capital debt whatever sums had been paid for interest, and the principal was to be discharged in three years, and by three equal payments.

App. de
Bell. Civ.
B. 1. c. 2.

The second was to prohibit any *Roman* Citizen from possessing more than five hundred acres of land. Whatever lands any one held beyond that restriction were to be taken from him, and divided among the poorer Citizens.

It is easy to guess, that laws of such weighty import were not to be obtained without violent struggles. Riches and honours, those objects of the most passionate desires of men, were the interests in question. The Senators, alarmed and terrified, held publick and private councils, but could fall upon no expedient to avert the impending evil, except that of gaining some of the Tribunes over to their party; an expedient which in like contests they had formerly employed with success. And now the eight Collegues of *Licinius* and *Sextius* were all prevailed with to oppose the measures of these two; so that, when the projectors of the new laws had convened the Tribes to give their voices concerning them, the other Tribunes would not so much as suffer the reading of them to the assembly: The word *VERO* (*I forbid*) put a stop to all proceedings thereupon. The two Tribunes having frequently assembled the people, but still in vain, *Sextius*, at length, addressing himself to the *Patricians*, said aloud, *Very well; since INTERCESSION^a is always to have so prevailing a power, we shall take care to defend the Commons with the very same weapon. Appoint an assembly whenever you please for electing Military Tribunes; the word VERO, which our Collegues now chant in concert so harmoniously, will not then be so pleasing a musick to your ears.*

Year of
R O M E
378,
379,
380,
381,
382,
Liv. B.
6. c. 36.

§. III. THESE were no empty mepaces; for, the time being come for a new election of Curule Magistrates, *Sextius* and *Licinius* opposed and hindered all proceeding thereto; and, being themselves continued in the *Plebeian* Tribuneship, they renewed the same opposition for five years successively, so that the Republick fell into a kind of Anarchy. At length, in the fifth year, a foreign enemy came as it were to the assistance of the

^a The term expressing the *Opposition* of the Tribunes to any public Act.

Senate. The inhabitants of *Velitrae*, a Roman Colony, grown wanton with idleness, and seeing no Roman army on foot, made some incursions on the lands of the Republick, and then besieged *Tusculum*. The *Tusculans* had long been allies, and had lately been admitted Citizens of *Rome*, so that the *Plebeians* as well as the Nobles were ashamed to refuse them assistance. *Sextius* and *Licinius* therefore waving their Opposition, an assembly was held by an *Inter-rex*, for electing Military Tribunes. The choice fell on six *Patricians*, who, after some difficulty in making the levies, marched an army against the enemy, defeated them, raised the siege of *Tusculum*, and besieged *Velitrae*: And, this place not being taken when their year drew towards a close, the Centuries created six new Military Tribunes^b to carry on the siege: and among these, * *M. Fabius Ambustus*, the father-in-law of *Lucinius Stolo*. The state of affairs at *Rome* was now much altered, not only by this promotion of *Fabius* to the supreme magistracy, but by an increase of strength which the favourers of the new laws had got in the college of Tribunes; of whom at this time there were but five who opposed those laws. *Licinius* and *Sextius* being thus supported by three of their Collegues, and by a Military Tribune, pushed their point with more warmth than ever. They were now the seventh year in office, and, by long habit, thoroughly practised in the art of managing the People. In the presence of the multitude they boldly and repeatedly asked the chief men of the Senate, *with what assurance they could desire, that the laws should allow them to possess more than five hundred acres of land, when only two acres were allotted to each Plebeian? Is it reasonable that every one of you should hold the lands of near three hundred Citizens, and that a Commoner should hardly have ground enough whereon to build him a small habitation to live in, or sufficient for a burial-place when he dies?*

When by these and such-like doleful words they had stirred up the People to a much greater indignation than they felt themselves, they immediately added, *But how is it possible that any bounds should be set to the avarice of the Patricians, or to their oppression of the People, unless the People themselves will provide for their own security, by raising some of their own body to the Highest Magistracy? Nor will it be sufficient that Plebeians be qualified by law to be Consuls. They obtained the privilege of standing for the Military Tribuneship; and yet, in forty-four years^c, not one of their order was promoted to that dignity! The number of Military Tribunes, at their first institution, was ordained to be Six, on purpose that the Commons*

* L. FURIUS, a second time,
P. VALERIUS, a fifth time,
A. MANLIUS, a fourth time,
S. SELPICIOUS, a third time,
C. VALERIUS,
S. CORNELIUS, a sixth time.

Q. SERVILIUS, a third time,
M. CORNELIUS,
C. VETURIUS, a second time.
Q. QUINCTIUS CININNATUS,
A. CORNELIUS,
M. FABIVS.

Year of ROM E cccclxxxiii
 Bef. J. C. Three hundred sixty-nine.
 Forty-seventh
 Mil. Tri.

might have a share in that magistracy; nevertheless, by the power and influence of the Nobles, their just pretensions have been almost constantly defeated. And how much easier will it be for the Patricians, when there are but two places to be filled by Consuls, to secure them both to themselves? The only remedy is to make it an indispensable law, that there be always ONE Plebeian in the Consulate. From that very day, and not till then, may the Roman People be deemed to have banished Kings from Rome, and to have established Liberty on a firm basis: From that very day the Plebeians will begin to share in all those things which now give the Patricians the pre-eminence over them, Power, and Honour, Military Glory, and Nobility; they will enjoy great advantages themselves, and transmit them greater to their posterity.

When the Tribunes found that these discourses were listened to with pleasure, they proposed a fourth law, That DECENVIRS be appointed, instead of DUUMVIRS, to take care of the Sybilline Books, and to interpret them; and that Five of the Ten be always PLEBEIAN. However, all proceedings on this, as well as the other Proposals, were suspended during the siege of *Velitræ*, which went on but slowly. The five Tribunes in the interest of the Senate had urged, that it was but just to wait the return of the army from before that place, that the Soldiers, who made so great a part of the Commons, might not be excluded from giving their votes, when such important innovations were on foot.

Year of ROM E cccclxxxiv
 Bef. J. C. Three hundred sixty-eight.
 Forty-eighth
 Mil. Tri.
 Liv. B. 6.
 c. 38.

§. IV. THE year ending before the return of the army, the Republic chose six new Governors; but the People continued in the Plebeian Tribuneship the two authors of the laws in dispute. *Sextius* and *Licinius* having once more summoned the People (probably towards the close of the year 384) were now resolved to proceed without any regard to the Prohibition of their Collegues^b. The Senate terrified hereat had recourse

^a L. QUINCTIUS CAPITOLINUS,
 SP. SERVILIUS,
 S. CORNELIUS, a seventh time,

L. PAPIRIUS CRASSUS,
 S. SULPICIUS, a fourth time,
 L. VETURIUS.

^b Father *Catrou* and Monsr. *Vertot* seem both of them to have mistaken some words of *Livy* in this part of the story, and by that mistake to have fallen into a perplexity, which has induced the first to suppose a ground of contest between the Tribunes, for which he has no authority, and the other to omit the mentioning of any contest at all between them.

Both the *French* writers relate, that the Tribunes were now unanimous upon the affair of the New Laws. The passage in *Livy*, on which I suppose they found themselves, is this: *Quum Tribus vocarentur, nec intercessio Collegarum latoribus obstat*, tiepidi Patres ad

duo ultima auxilia, summum imperium summumque ad civem decurrunt. The words in *Italic* they understand to mean, *That there was no longer any opposition to Sextius and Licinius from their Collegues*: Whereas the context plainly shews the true meaning of them to be, not that *Sextius* and *Licinius* were not opposed by their Collegues, but that they were not hindered by that opposition from proceeding; and it was this that alarmed the Senate so much, as to make them name a Dictator. That the Tribunes were still divided about the new Laws, as before, is evident from the words of *Livy*, which presently follow those above cited: *Quum Dictator*

course to their last experiments, the *Highest Authority* and the *Greatest Man*. Year of
They named *CAMILLUS* to the *DICTATORSHIP*, this being the fourth ROM E
ccclxxxiv.
Bef. J. C.
time of his being invested with that dignity. His promotion, if we may believe *Plutarch*, was much against the will of the People, nor was *Camillus* himself very forward to accept the charge, not caring to exert the Three
hundred.
sixty-
eight.
Dictatorial authority against those who had so often on great occasions reposed their confidence in him, and believing that he was pitched upon out of ill-will, that he might be the instrument to oppress the Commons if he succeeded, or, failing, might himself be ruined.

The creation of a Dictator did not deter *Sextius* and *Licinius* from convening the Tribes to give their votes upon the new laws. *Camillus*, full of anger and indignation, and attended by a great body of the *Patricians*, repaired to the Assembly, and there seated himself in his Tribunal. After the usual conflict between the *legislating* and the *interceding* Tribunes, and when, in spite of the *VETO* of the latter, the former, supported by the People's favour, went on to take the suffrages of the Assembly, and the first Tribes had already voted for the Laws, the Dictator, rising up, declared, *that he was come to support the privileges of the Commons, and that he would never suffer one part of the Tribunes to deprive the other of their right of Opposition*. *Sextius* and *Licinius* laughed at this artful speech, and continued to take the votes. The Dictator, hereupon, in great wrath, sent his lictors to drive the People out of the Forum; threatening at the same time, that, if they offered to proceed to *Law-making*, he would summon them to the *Campus Martius*, oblige them to lift, and to march Plut. p.
150.
into the field. His menaces, while they put the Commons into a fright, seemed to raise the courage of the two Tribunes. For these preferred a Bill, and engaged the Commons to pass it into a Law, *That, in case M. Furius Camillus made use of his Dictatorial Power to obstruct the enacting of the Laws in dispute, he should pay a fine of 500000 asses of brass*. *Camillus*, presently after, either intimidated by this *Plebiscitum*, or (as *Livy* is inclined to think) having discovered that there had been some defect in the ceremony of taking the Auspices, when he was created Dictator, abdicated his supreme Magistracy.

§. V.

Dictator stipatus agmine Patriciorum, plenus inæ minarumque confedisset, atque ageretur res solito primum certamine inter se Tribunorum plebi ferentium Legem intercedentiunque; & quanto jure potentior intercessio erat, tantum vinceretur favore legum ipsarum, latorumque, &c.

Father *Catrou*, not to be inconsistent with himself, conjectures that some of the Tribunes opposed the proceedings of the rest at this juncture, not because they disapproved of the laws in question, but out of respect for the Dictator then present, *Sans doute par respect pour le Dictateur*; that they were una-

nimous concerning the justice of passing the laws, and differed only as to the time.

^a Or 50000 *Drachmæ*; i. e. 1614*l.* 11*s.* 8*d.* *Arbutnot*.

The Greek *Drachma* was in value the same as the Roman *Denarius*, that is, 7½*d.* English.

^b *Livy* gives several reasons for his believing that it was not fear which made *Camillus* resign the Dictatorship. 1. The Character of the Man. 2 The Senate's appointing another Dictator to succeed him; which they would not have done, if the Dictatorial Authority had proved impotent in his hands.

Year of
R O M E
ccclxxxv.
Bef. J. C.
Three
hundred
sixty-se-
ven.
Livy, B.
6. c. 38,
39.

§. V. THE Senate in this nice conjuncture, not knowing how to act without a Dictator, whose authority might be a curb upon the Tribunes, named *P. Manlius* to succeed *Camillus* in that dignity.

Livy tells us, that during a sort of inter-regnum, which there was between these two Dictatorships, *Sextius* and *Licinius* held an Assembly of the People, and proposed their Laws anew; and that they might have obtained the passing of those two which related to *Land* and *Usury*, if those would have satisfied them: but that, they refusing to separate the Laws, and requiring the People to give their voices upon all at the same time, the Assembly could not be brought to pass that Law which related to the Consulate.

The new Dictator *Manlius* presently discovered himself to be a favourer of the Commons, by naming a Plebeian, *C. Licinius* (not *Licinius Stolo* the Tribune) for his *General of the Horse*. Such a nomination was without example, but he endeavoured to justify himself to the Senate by alledging, that *Licinius* was his near kinsman, and that the dignity of *General of the Horse* was not greater than that of *Military Tribune*, which latter *Licinius* had heretofore enjoyed. [This shews, that in the confusions of a state mutual fidelity between the members of a party is not much to be depended upon, because of the private ties that there are among Citizens of the same City, though of opposite parties.]

When the election of Tribunes came on, the method they took, in order to get themselves continued in office, was, to pretend that they would no longer serve. They represented to the People, that they were grown old in the Tribuneship to no purpose, and that, after struggling nine years with the Senate for the good of the Commons, the only recompence they had met with for their services was neglect and ingratitude: *You would very gladly be freed from the oppression of Usury, and you are very eager to have your share of the conquered Lands; but when the question is, to promote the honour of your Tribunes, by whose labours and zeal you are to obtain those benefits, you shew nothing but coldness and indifference. Is it consistent with modesty for you to ask these advantages by our means, while you resolve to leave us afterwards, not only without honour, but without hopes of honour? To be plain then, the laws we have proposed are inseparable. If you are willing to pass them conjointly, you may then chuse us again into the Tribuneship; but, if you are determined to reject that which relates to the Consulate, be assured that we will no longer serve, nor shall you get those passed which concern Usury and the conquered Lands.*

Liv. B. 6. c. 40. & seq. All the *Patricians* in the assembly were struck dumb with amazement at this open and resolute Declaration except *Appius Claudius* (Grandson of

3. *Camillus's* accepting of the same office again not long after, and while the three Laws were still in dispute; which he would have been ashamed to do, had he been so lately overpowered in the exercise of it. 4. At the time when the bill, for imposing the fine, is said to have been preferred, he had power to hinder its passing into a Law, or he could not have hindered the passing of those, for the sake of which this was preferred.

the Decemvir.) *Appius*, not moved by any hope of influencing the assembly, but by anger and indignation, stepped forth and made a long and warm speech, full of invectives against the two Tribunes, *those TARR-QUINS*, as he called them, *the years of whose perpetual Tyranny were regularly numbered, as the years of the Kings were formerly in the Capitol.* And he expatiated on the insolence of declaring, *That the Commons should not be free to pass such Laws as they approved, unless they would at the same time pass others which they did not approve, nor think to be for the public benefit.*

Appius's harangue had no other effect, than to delay for a while the publication of the laws proposed. The two authors of them were chosen the tenth time into the Tribuneship; and it is probable, that the multitude, being afraid of losing such able and zealous defenders, engaged themselves to follow their directions implicitly.

Not long after their re-election into power, they obtained the passing of that law which had been last preferred, and which related to the guardianship of the *Sybil's Books*. The Commons, content for the present with this victory, suffered six *Patricians* to be created Military Tribunes^a for the next year, without mentioning any thing of the Consulate.

§. VI. IN the beginning of the new administration, sudden advice coming, that a cloud of *Gauls*^b from the coasts of the *Adriatick* was advancing towards *Rome*, the danger, common to all, united the voices of all to raise *Camillus* (now the fifth time) to the Dictatorship. This great man, though near fourscore, yet considering the peril the state was in, did not now plead infirmity, as he formerly had done, to decline the charge, but readily undertook it, and lifted his soldiers. And knowing that the force of the Barbarians lay chiefly in their great swords, with which they laid about them in a rude unskilful manner, hacking and hewing the head and shoulders, he caused iron helmets to be made for most of his men, smoothing and polishing the out-side so, that the enemies swords, lighting upon them, might either slide off or be broken; and round about their shields he drew a rim of iron, the wood itself not being strong enough to sustain the blows. The two armies came to a battle in the territory of *Alba*. The *Roman* soldiers, ever since their defeat at the river *Allia*, had retained a fear of the *Gauls*: Nevertheless, *Camillus*, without much difficulty, obtained a complete victory.

After this success he led his army to attack *Velitræ* (the siege of which had been interrupted) but the City surrendered to him without resistance.

^a A. CORNELIUS, a second time,
L. VETURIUS, a second time,
M. CORNELIUS, a second time,

P. VALTERIUS, a sixth time,
M. GEGANIUS,
P. MANLIUS, a second time.

^b *Plutarch* tells us, that the *Romans* feared was an exception to the case of an Invasion the *Gauls* so much, that in a law they made from the *Gauls*. to excuse Priests from military service there

Year of ROME. He then returned to *Rome*, where the honours of a TRIUMPH were decreed him by Senate and Commons.

ccclxxxvi
Bef. J. C.
Three
hundred
sixty-six.

Forty-
ninth
Mil. Tri.

§. VII. THE People, returning home elated with victory, were more obstinately bent than ever on passing the three Laws, so long disputed. On the other hand, the Senate, equally obstinate in their opposition, would not suffer *Camillus* to lay down his Dictatorship, thinking that under the shelter of his great name and absolute authority they should be better able to contend with their adversaries. *Plutarch* reports, that one day when the Dictator was sitting on his Tribunal in the *Forum* dispatching publick business, an officer, sent by the Tribunes, commanded him to rise and follow him, laying his hand upon him at the same time, as if he meant to drag him away by force. Never was a greater uproar or tumult in the *Forum* than on this occasion; the *Patricians*, who surrounded *Camillus*, driving back the officer, and the multitude from below bawling out, *Pull him down, Pull him down.* *Camillus*, though greatly at a loss what to do in this exigence, yet would not resign his authority: Guarded by the Senators, he retired with them to the Senate-house; but, before he entered it, turned towards the *Capitol*, and besought the Gods to put an end to these commotions, vowing to build a Temple to CONCORD, if Union might be restored among his Fellow-citizens.

After warm debates in the Senate about the measures proper to be taken, it was at length resolved to comply with the people's desire, and to accept the three Laws in question, as the only means to procure domestic peace.

Plut. in
Camillus,
P. 152.
Livy. B. 6.
C. 42.

The Commons having thus obtained the victory over the Nobles, the Comitia were held for electing Consuls, and then L. SEXTIUS the Plebeian Tribune was chosen Collegue in that dignity to L. *Æmilius Mamercinus* a Patrician. Nevertheless, when the election of *Sextius* should have been confirmed by the Senate, the *Conscript Fathers* absolutely refused to do it; and the new disputes on this occasion between the two parties rose to such a height, that the *Plebeians* were just ready to leave *Rome*, and make a new SECESSION, when the Dictator proposed an expedient for a reconciliation. Hitherto the dispensing of justice in the city had been a branch of the Consular Office, but to which the Consuls could not always attend, being commonly during the summer in the field at the head of armies. *Camillus's* proposal was to separate this function from the Consulship, and to create a judge with the title of PRÆTOR, to whom it should be appropriated; and he advised the Senate to suffer that one Consul might be annually chosen out of the *Plebeians*, on condition that the Prætor should be always a *Patrician*. This motion being approved by both parties, the Senate confirmed the election of *Sextius*, and the Centuries created the son of *Camillus* Prætor.

* The Prætorship was the second dignity in the Commonwealth; and the Prætor had the Prætexta, the Curule Chair, and two Lic-

tors, who bearing Fasces, walked before him. The Provincial Prætors, created in after-times, were allowed six Lic-tors. C. & R.

§. VIII. TRANQUILLITY being thus established, the Romans, in Year of
gratitude to the Gods, ordered the *Great Games* to be celebrated. These R O M E
used formerly to last but three days, but now a fourth * day was added; ccclxxxvi
and on this account their name of *Ludi Magni* was changed into *Ludi* Bef. J. C.
Maximi. It happened that the present *Ædiles* (for what reason is un- Three
known) refused to take upon them the care of making preparations for hundred
this festival; upon which the young *Patricians* cried out, *That, since the* Forty-
affair in question was the worship of the Gods, they should think it no dishonour ninth
to be employed in it, provided they might be appointed ÆDILES. According- Mil. Tri.
ly the People, at the motion of the *Dictator*, created a new office in fa- Livy, B.
vour of the *Patricians*. It was called the *Curule Ædileship*, because these 6. c. 42.
Ædiles (two in number) had the honour of the *Curule Chair*, which the
Plebeian Ædiles had not. The business was to take care of the Temples,
Theatres, Games, Markets, Tribunals of Justice, and the repair of the City
Walls, and also to see that no novelty was introduced into Religion; in after-
times they had likewise the inspection over books that were published,
and pieces written for the Stage.

Notwithstanding some alarms, caused by a report, that the *Gauls*, who Year of
had dispersed themselves in *Apulia*, were again got together, and that the R O M E
Hernici threatened a rebellion, the Senate were unwilling to enter upon a ccclxxxvii.
war under the administration of a *Plebeian Consul*, lest the glory he might Bef. J. C.
acquire should redound to the honour of his whole party; so that all Three
continued quiet both abroad and at home, excepting that the Tribunes hundred
of the Commons expressed their discontent to see, that for one *Plebeian* sixty-five.
Consul granted to the Commons the Nobles had got three new *Curule* Eighty-
Magistrates. The Senate hereupon were prevailed with to consent, that the ninth
Curule Ædiles should be chosen out of the *Plebeians* every second year; Consul-
and afterwards they left the People at full liberty to chuse them every year ship.
out of either body. Livy, B.
7. c. 1.

§. IX. ROME after these establishments continued at rest both from Year of
foreign wars and intestine divisions, under the new Consuls *L. Genucius* a *Ple-* R O M E
beian, and *Servilius Abala* a *Patrician*. But it seems to have been the fate ccclxxxviii.
of the city never to be in perfect tranquillity: A pestilential sickness spread Bef. J. C.
itself on a sudden, when no-body could account for it. It could not be af- Three
cribed to the irregularity of the seasons. The winter had not been extraor- hundred
dinary dry, nor had the cold weather been too suddenly succeeded by an sixty-four
immoderate heat; nor had the summer been too rainy; nor had the autumn- Ninetieth
nal fruits, for want of sufficient maturity, caused indigestions: Nor, lastly, Consul-
had the *Calabrian* wind blown any dangerous and unwholesome air to *Rome*. ship.
This plague swept away, together with great numbers of the People, some Orof B. 3.
of the *Magistrates*; one *Censor*, one *Curule Ædile*, and three *Tribunes* of c. 4.
the Commons: But what made it most memorable was the death of the Livy, B. 7.
great *Camillus*, who, though full of years, was more regretted, says *Plu-* c. 2.
tarch, than the whole multitude of those who died of the same disease.

* *Plutarch* says, that this fourth day was added to the *Feria Latina*.

C H A P. V.

§. I. *The Romans have recourse to various expedients for putting a stop to the plague. The filial piety of the son of L. Manlius Imperiosus.* §. II. *The earth opens on a sudden in the midst of the Forum, and continues open, to the great terror of the City. M. Curtius, a young Patrician, leaps into the gulph completely armed and on horseback.* §. III. *The Consul Genucius, the FIRST PLEBEIAN Rome had ever placed at the head of an Army, unfortunately conducts the war against the Hernici, his legions are routed, and he himself slain.* §. IV. *The Gauls advance within three miles of Rome, incamping on the banks of the Anio. Young Manlius in single combat slays the mightiest champion of the Gauls, a man of a gigantic stature; which so discourages them, that they leave their camp in the night and in confusion. The next year the Gauls appear again in the neighbourhood of Rome; but are routed and driven thence by the Romans. The Consuls make war with success against the Tyburtes and the Hernici.*

Year of
R O M E
ccclxxxix
Bef. J. C.
Three
hundred
sixty-
three.

Ninety-
first
Consul-
ship.
Livy, B.
7. c. 2.

Val. Max.
B. 2. c. 1.

Livy, B.
7. c. 2.

§. I. **I**N the year of Rome 389, C. Sulpicius and C. Licinius Stolo took possession of the Consulship. The latter was that famous *Licinius* (son-in-law to *Fabius Ambustus*) who jointly with his Colleague *Sextius* had contrived the three Laws, and at the end of ten years, during which he had been *Tribune of the Commons*, had obtained the publication of them. And now the promise *Fabius* had made to his younger daughter was fulfilled, and she had the pleasure of seeing the *Lictors* with their *Fasces* march before her *Plebeian* husband, and of hearing them thunder at her gate.

The plague still continuing, the *Romans* to put a stop to it had recourse to their old superstition of the *Læstifternium*. But this proved ineffectual; and they endeavoured therefore to avert the anger of the Gods by a new institution to their honour. Hitherto *Rome* had no other Publick Sports but those of the *Circus*, that is to say, Races and Wrestling, which were very proper exercises for so warlike a people. But now they introduced a new sort of *Shows*, which at first were innocent, but afterwards became indecent, and had a natural tendency to corrupt mens manners. These shows were called *Scenici*, because they were represented on a *Scene*, that is, a stage built in the *Shade*. The performers, who were brought to *Rome* from *Hetruria*, danced to the Flute, and kept time with their motions and gestures; but their *Entries* had no manner of relation to one another; neither

* The *Hetrurian* word, which signified a Player or Dancer, was *Hæter*; and hence the name of *Histriones*, given by the *Romans* to all Stage-players. The first speakers on the stage fell into the vicious taste of the *Fescennini*, a people of *Hetruria*, who threw coarse and unpremeditated jests at one another.

These were soon succeeded by satires written in verse, and set to the flute; which satires were repeated with suitable gestures. And, some years after, *Livius Andronicus*, who acted his own pieces, turned the Satires into regular Plays, and confined himself in his compositions to one uniform matter. But he

was

neither were the Dances accompanied with any verses or discourses in these early times.

This kind of Comedy being performed in a part of the *Circus* near the banks of the *Tiber*, and the river happening to overflow at this time, the people concluded, that the new remedy they had invented to appease the Gods would be ineffectual. However, as they themselves had been agreeably amused, they did not lay aside the entertainments of the *Scene*.

In the following Consulship of * *L. Æmilius* and *Cn. Genucius*, the plague not ceasing, the *Romans* bethought themselves of an old religious ceremony which, according to tradition, had succeeded in the like cases. This was the driving of a Nail by a Dictator into the wall of the Temple of *Jupiter Capitolinus*, on the side next *Minerva's* sanctuary, which was under the same roof. This Goddess was deemed the inventress of Numbers; and the *Romans* used to number the years of their state by nails. *L.* tells us, that there was a law written in antique characters and obsolete words, and fixed up in the Chapel of *Minerva*, importing, *That the chief Prætor, for the time being should on the Ides of September* DRIVE THE NAIL. (When this law was made, the *Romans* were perhaps unacquainted with the numeral letters.) The same author adds, that the Consul *Horatius*, who dedicated the Temple of *Jupiter* the year after the expulsion of *Tarquinius*, performed at the same time the ceremony of driving the Nail, which function was afterwards transferred from the Consuls to the Dictators, as magistrates of greater dignity and power; and that, the custom having been discontinued, it was now thought a matter of sufficient importance for which a Dictator should be expressly created.

M. Manlius was the person named to the Dictatorship. It is likely that the plague, which had lasted three years, ceased about this time, because *Livy* makes no further mention of it. But *Manlius* being dissatisfied to have the whole business of his office confined to a religious ceremony, and it being believed that the *Heruci* were preparing to shake off the

was called upon so often to repeat his Plays, that he at last became hoarse, and lost his voice. Hereupon he got the people's consent that a young man should sing for him, whilst he only accompanied the verses with proper gestures; and then his action soon became more perfect when his attention was no longer divided between singing and acting. When these theatrical pieces were thus brought to form, the dances, which had made people laugh, were despised and neglected. Nevertheless, the *Roman* youth revived them, and acted them at the end of their serious pieces. When the professed actors had finished their parts, some young *Romans* came upon the stage masked, and began to repeat merry verses, as formerly, but

such as were free from obscenity. These pieces, which were a sort of composition between Satires and regular plays, had their first rise in *Atella*, a city in *Campania*, and were called *Ætoliæ*, that is, Verses not belonging to the Play. The *Romans* borrowed them from the *Oyzi*, a people of *Campania*. But the *Roman* youth never suffered the professed actors to bear any part in their *Ætoliæ*, lest they should dishonour them. The persons who acted these pieces were not liable to the penalties to which the *Ætoliæ* were subject; their names were not blotted out of the roll of the *Ætoliæ* in which they had been incorporated; nor were they excluded from military services, as infamous persons. C. & R.

Year of
R O M E
ccclxxxix
Bet J C.
Three
hundred
sixty-
three.
Ninety-
second
Consul-
ship.
Year of
R O M E
ccxc.
Bet J C.
Three
hundred
sixty two.
Ninety-
second
Consul-
ship
* A 2d
time.
Livy B 7.
C. 3.

Year of Roman yoke, he laid hold of this pretext to continue himself in power. ROM E He ordered troops to be raised, and even used violence to make the ccxc. citizens insist themselves. However, *the Tribunes of the People* opposed Bef. J. C. his design, repelled force with force, and at length obliged him to abdicate. Three hundred And the *Consuls* for the new year, * *Q. Servilius* and † *L. Genucius*, sixty-two. were no sooner in office, than he was cited by *Pomponius*, one of the *Tribunes*, to answer before the People for the violence and cruelty which Ninety- second he had exercised towards the Citizens. But nothing was so much detested Conful- as his cruel nature, and the surname of *Imperiosus* (intolerable in a free ship. city) which he had acquired by his excessive severity, shewn no less to Year of ROM E his own blood and kindred than to strangers. For the Tribunes, among ccxc. other things, accused him of inhumanly and barbarously treating one of Bef. J. C. his own sons for no just cause, and merely upon account of some natural Three hundred defects. This son of *Manlius*, named *Titus*, had an impediment in his sixty-one. speech, and was besides of slow parts; and, for these reasons only, his father had confined him to the country, where he made him work like one of his slaves.

Manlius had a copy of his accusation given him, and twenty-seven days to prepare for his defence. All were highly exasperated against him, except the son himself, who hearing of what passed, and not being able to endure the thought that he too should furnish matter of accusation against his father; and to the end that Gods and Men might know how far he was from wishing to give his father's enemies any assistance; he resolved upon a most extraordinary method to deliver him, a method (as *Livy* observes) suitable to his rustick education and character, but laudable for the filial piety that inspired it. Early in the morning he privately and alone left the village to which he had been banished, came to *Rome*, nor stopt till he arrived at the door of *Pomponius* the Tribune, who was not yet up. He sent him word, that the son of *Manlius* desired to speak with him about an affair that would admit of no delay. The Tribune, believing that the young man was come either to thank him for the concern he had taken in his misfortunes, or perhaps to discover to him some new proofs of his father's tyrannical temper, ordered him to be brought in. *Manlius*, as soon as they had saluted each other, desired to speak to him in private without witnesses; upon which every body present was ordered to retire. Then the young man drawing out a poniard, and standing over the Tribune, threatened to run him thro', if he did not immediately and solemnly swear to desist from the prosecution of his father. *Pomponius* was too much terrified not to swear whatever the other pleased to dictate; and he excused himself afterwards to the People for his dropping the prosecution, by alledging the oath which had been extorted from him. The People were not displeased at the bold enterprise of a son in favour of a father, which was the more laudable, inasmuch as the father's hard usage of his son had not been able to lessen his filial piety. So that not only the father was discharged, but the affair ended much to the honour of young *Manlius*, who the same year was pro-

Val. Max.

E. 5. c. 4.

* A 2d time.

† A 2d time.

Livy, B.

7. c. 4.

Cic. Off.

B. 5.

Livy, B.

7. c. 5.

promoted, by the suffrages of the People, to one of the most important posts in the army. Every *Roman* Legion was commanded by six *Legionary Tribunes*, and these officers had been hitherto left to the choice of the General; but this year the People thought fit to elect part of them in the *Comitia*. Of twenty-four *Legionary Tribunes*, appointed at this time, the People chose six, and *T. Manlius* was named the second of the six. We shall soon see him by his merit surmount all the disadvantages of his education.

Year of
R O M E
cccxc.
Bel. J. C.
Three
hundred
sixty one.
Ninety-
third.
Consul-
ship.
Livy. B.
7. c. 6.
Val. Max.
B. 5.
Oros. B. 3.
S. Austin.
de Civi-
tate Dei,
B. 5.

§. II. THE same year a very extraordinary accident threw the City into a consternation. The ground, perhaps by the violence of an earthquake, opened to a great breadth and depth in the midst of the *Forum*, and continued gaping in a frightful manner. Neither could this chasm be filled up by throwing abundance of earth into it, wherein the Citizens laboured with great diligence. The Augurs, being consulted hereupon, told them, *That their purpose would never be effected, until that thing, wherein the strength and power of the Roman People chiefly consisted, were dedicated and devoted to that place, and that such a sacrifice would secure the eternal duration of the Roman state.* Great consultation there was, and much doubt concerning the meaning of this Oracle. At length *M. Curtius*, a *Patrician*, a brave young man, reproving the stupidity of his fellow-citizens, asked them, how they could doubt whether *Rome* had any thing more valuable than Arms and Valour? Having armed himself completely, and mounted a horse richly caparisoned, he came to the *Forum*, where the People were assembled in crowds. While they stood silent with wonder and expectation, he turned his eyes, one while to the *Capitol*, and then to the Pit, and having adored the celestial and infernal Gods, and devoted himself to death for his country, he leaped at once horse and man into the gulph. The People, both men and women, threw in after him great quantities of corn, fruit, and other oblations; and it is probable that with these, and afterwards with earth and rubbish, the hole was quite filled up. But some authors fabulously report, that the ground immediately closed upon *Curtius's* precipitating himself into the opening.

Val. Max.
B. 5. c. 6.

§. III. AFTER this expiation, the *Romans* unanimously resolved to turn their arms against the *Hernici*, who had made depredations in the territory of *Rome*, and had refused the satisfaction demanded by the heralds of the Republick. The conduct of the war fell by lot to *Genucius*, the first *Plebeian Consul* that was ever intrusted with the Command of an Army; and both parties were very anxious about the success of his expedition, because according to the event it would be judged whether the Republick had done well to admit *Plebeians* to share in the Consular Dignity. It happened unluckily for the Commons, that *Genucius* proved unsuccessful in the campaign. He fell into an ambush, his legions were routed, and he himself killed. The *Patricians* did not fail to take advantage of this accident. They exclaimed in all places, that the misfortunes of *Rome* were owing to the vengeance of the Gods, who had been

Livy. B.
7. c. 6.

Year of ROME cccxci. B.C. J. C. Three hundred sixty-one. despised. That the Commons might indeed, by force of a law, deprive the Nobles of their birth-right, and transfer the *Auspices* to those who could not take them without impiety; but that no such law would prevail against the immortal Gods, whose anger at the profanation of their rites was sufficiently declared by the defeat of the army, and the death of its Commander.

Ninety-third Consulship. Livy, B. 7. c. 7.

Servilius, the surviving Consul, with the approbation of the Senate, named to the Dictatorship *Appius Claudius*, the man who had the most distinguished himself in the opposition made to the new law complained of. While *Appius* was raising a second army at *Rome*, the *Hernici*, flushed with their success, advanced to attack the camp of the *Romans* under the command of *C. Sulpicius*, who had been Lieutenant to *Genucius*, and had since that General's defeat collected his scattered troops. The *Romans*, courageously sallied out of their intrenchments, and repulsed the enemy. *Appius* soon after arrived with his new levies, and, having rewarded the bravery of the Lieutenant and his soldiers with praises, prepared for a general battle.

On the other hand, the *Hernici*, in order to preserve the advantage they had gained over *Genucius*, exhausted their whole country of men to reinforce their army; and, among the multitude of their soldiers, chose out three thousand two hundred, whom they divided into eight *Cohorts*, of four hundred each. These were the flower of their army, and made a separate corps, that their valour might be the more conspicuous; and, to engage them to behave themselves bravely, their Generals honoured them with marks of distinction, promised them double pay, and exempted them from all the drudgery of military service. In the general action, which soon followed, when the *Roman* Knights had made several efforts in vain to disorder the enemy's battalions, and when with permission of their General they had dismounted, and placed themselves in the first line of the foot, the eight chosen *Cohorts* made head against them, so that the flower of both nations came now to a close engagement. The victory was a long time doubtful, and it seemed to be only the *better fortune* of the *Romans* which determined it in their favour. However, they lost a fourth part of their army, and a great number of *Knights*. *Appius* had no Triumph granted him, which can be imputed to nothing but the unwillingness of the People to do honour to the most declared enemy of the *Plebeian* party.

§. IV. AND now notwithstanding the misfortune of *Genucius*, and the murmurs of the Nobility, the *Centuries* made no scruple to chuse a Consul out of the *Plebeians* for the next year. *C. Licinius Calvus Stolo* was elected a second time; and with him was joined *C. Sulpicius*, surnamed *Peticus*. Under these Generals the *Romans* advanced into the country of the *Hernici*, and, finding no enemy in the field, laid siege to *Ferentinum*. This place having surrendered, they took the road to *Rome*; but, when they came to *Tybur*, they found the gates shut against them. There had been frequently misunderstandings between the Republick and the *Tyburtes*, but now it was war

Year of ROME cccxcii. B.C. J. C. Three hundred sixty-two. Ninety-fourth Consulship. Livy, B. 7. c. 9.

war declared; and the *Romans*, perhaps believing that the *Tyburtes* could not have the confidence to think of coping with the Republick, unless encouraged by some secret intelligence with the *Gauls*, who were in motion, thought proper, as in time of imminent danger, to name a *Dictator*, *T. Quinctius Pennus* was the person nominated to that dignity; and he appointed *S. Cornelius* to be his General of the Horse.

Year of
R O M E
CCCXCII.
Bel. J. C.
Three
hundred
sixty.

The apprehensions of the Republick were not groundless. The *Cisalpine Gauls*, having taken arms again to revenge their defeat, came and incamped three miles from *Rome*, near one of the bridges of the *Anio*. The *Romans*, under the command of the Dictator, immediately advanced to meet them. Nothing but the river parted the two armies, and neither party endeavoured to break down the bridge, lest it should seem to argue fear. This bridge became the scene of many combats between the champions of the two armies. One day a *Gaul* of a gigantick size advanced upon the bridge, and challenged the stoutest of the enemy to single combat. His extraordinary stature struck such a terror into the bravest of the *Romans*, that not one of them, for a long time, durst enter the lists against him. Young *Manlius* alone, who had so remarkably signalised his piety to his father, thought he had found a danger worthy of his valour. He went to the Dictator, and asked permission of him to encounter the *Gaul*: For, said he, though I were sure of victory, I would never fight out of my rank without your command; but, if you will give me leave, I will show that huge beast, that I am descended of the same family which drove the *Gauls* headlong from the Capitol. Go, *Manlius*, answered the Dictator, and be as courageous for the glory of thy country, as thou wast for the defence of thy father. The two champions soon came to an engagement. *Manlius* had for this combat chosen a short sword, made both for cutting and stabbing, and, artfully getting within the long one of his enemy, gave him two stabs, and laid him breathless on the ground. The *Gaul* had a Collar * about his neck, which *Manlius* took from him, and put it about his own, in token of victory; and hence it was that he got the surname of *Torquatus*, which descended to his posterity. The event of this single combat seemed to the *Gauls* so bad an omen for the rest of the war, that they abandoned their camp in the night, and dispersed themselves in *Campania*. Nor could they well have retired to their own country without the assistance of the *Tyburtes*, who furnished them with provisions.

Ninety-
fourth
Consul
ship.

Livy, B. 7.
c. 10.

* In Latin
Torquis.

Livy B. 7.
c. 11.

This people had too openly declared against the Republick to be suffered to go unpunished; and so soon therefore as the *Consuls* for the new year, *M. Fabius Ambustus* and *C. Poetelius Libo*, entered upon their office, laws were made at *Rome* to chastise them. *Poetilius* conducted this war, while *Fabius* marched against the *Hernici*, who persisted in their revolt. The Republick was at this time destitute of all assistance from abroad. The very *Latines*, formerly so attached to her, stood absolutely neuter. In the mean time, the *Gauls* ventured to advance again to the very neighbourhood of *Rome*, and blocked up the gate *Collina*. To make head against

Year of
R O M E
CCCXCIII.
Bel. J. C.
Three
hundred
ninety-
nine.

Ninety-
fifth
Consul-
ship.

Year of ROME cccxciii. Bef. J. C. Three hundred fifty-nine
Ninety-fifth Consulship.

these dangerous enemies, the Republick named *Servilius Abala Dictator*, without recalling either of the *Consuls*. *Servilius* came to an engagement with the *Gauls*, under the very walls of *Rome*, where the *Romans*, fighting within sight of their fathers, wives, and children, were irresistible. The *Gauls* fled toward *Tybur*, and being favoured by the *Tyburtes*, who made a sally to facilitate their retreat, entered it, notwithstanding the opposition of *Poetelius*, who attacked them in their flight. *Poetelius*, nevertheless, obtained a *Triumph*, while his Collegue *Fabius*, who had fought with success against the *Hernici*, had only an *Ovation*. The *Dictator*, who had most deserved a *Triumph*, declined that honour, and laid down his *Dictatorship*.

C H A P. VI.

§. I. *A domestick sedition, which is soon quelled. An incursion of the Tyburtes, who are soon repulsed. The commencement of a new war against Rome by the Tarquinientes.* §. II. *The Gauls appear on a sudden in the plains of Præneste. C. Sulpicius, named Dictator, with an army, strengthened by the Latines, marches against them. By the help of a new stratagem he obtains a complete victory. The Hernici and the Tarquinientes are vanquished by the Romans.* §. III. *Two new Tribes are formed. A Law is passed against openly canvassing for votes. Another fixing the legal interest of money at One per Cent. per month. Licinius Stolo, author of the law against any man's possessing more than five hundred acres of land, is convicted of a breach of it. A law is passed against holding the Comitia in any place but Rome.* §. IV. *The Falisci and Tarquinientes having engaged all Hetruria to take part with them against Rome, C. Marcius Rutilus, the PLEBEIAN Consul of the last year, is named DICTATOR by Popilius, the PLEBEIAN Consul of this, to the great displeasure of the Nobles. He obtains a complete victory over the enemy, and has a Triumph, in spite of the opposition of the Senate. Two Patricians are chosen to the Consulate, contrary to the intent of one of the Licinian laws, and the custom for eleven years past. The next year the Fasces are again in the hands of two Patricians; and likewise the year following. T. Manlius (who had never been CONSUL) is named DICTATOR, to conduct an army against the Cœrites.*

Year of ROME cccxciv. Bef. J. C. Three hundred fifty-eight.
Ninety-sixth Consulship.

§. I. **T**HE *Tyburtes* made a jest of *Poetilius's* Triumph, and threatened to be soon again at the gates of *Rome*. This made the *Romans* sensible, that these enemies were neither conquered nor humbled; and the new Consuls therefore, *M. Popilius Lænas* and *Cn. Manlius Imperiosus*, would probably have led an army into the territory of *Tybur*, if they had not been hindered by a sudden rising in the City, of the People against the Senate. *Popilius* was *Pontifex* to the Goddess *Carmenta*, as well as *Consul*, and was just offering a sacrifice, when he received the news of the commotion.

motion. He ran from the altar in his Pontifical Robe to the place where Year of
the People were assembled, and by his influence put a stop to the sedi- R O M E
tion. And, because the robe he then wore was *Læna*, he thence got the cccxciv
name of *Lænas*. But *Popilius* was very soon obliged to assume the Bef. J. C.
Soldier. A handful of *Tylurtes*, out of a bravado, and to make good three
their late threatenings, came in the dead of the night to the very gates of fifty-
Rome, and alarmed the City. The two Consuls, as soon as it was day, eight.
marched out with their troops at different gates, and easily repulsed these
bold enterprisers, whose attempt served only to re-establish the Ninety-
Rome, and totally extinguish the sedition. sixth

In this same year the *Tarquinienses*, a people of *Hebruria*, entered the Consul-
Roman territory in arms; nevertheless the *Romans* postponed their revenge ship.
till they had chosen new *Consuls*. Livy, B. 7.
C. 12.
Cic. in

§. II. THE persons elected were *C. Fabius Ambustus* and *C. Plantius* Year of
Proculus. The hostilities of the *Tarquinienses* were soon followed by a R O M E
new alarm from the *Boii*, who appeared on a sudden in the plain of *Præ-* cccxcv.
nestæ, and advanced as far as *Pedum*. But, in the midst of these distresses Bef. J. C.
of the Republick, the *Latines* (for what reason is uncertain) very season- Three
ably renewed their ancient treaty of alliance with *Rome*, and furnished her hundred
with the same *quota* of men as formerly. With this re-inforcement she was fifty-
in a condition to make head against all her enemies. *C. Sulpicius* was seven.
named Dictator to conduct the war against the *Gauls*. With the best Ninety-
Legions of the *Consular* armies strengthened by the *Latin* auxiliaries, he seventh
took the field, and met the enemy. Both armies were very ardent to Consul-
engage; but the Dictator restrained the impetuosity of his troops, think- ship.
ing it better policy not to run the hazard of a battle, since the *Gauls* Livy, B.
must necessarily be distressed for want of provisions, having prepared no 7. C. 12,
magazines, and being no longer supplied by the *Latines*. The soldiers 13, 14.
however did not enter into their General's views, and universally mur- Appian.
mured against him, as a timorous commander of brave men. They came in Celtic.
in crowds to the Dictator's quarters, and demanded access to him, having
named *Sextus Tullius* (a man of distinguished courage, and who for seven
years past had been first Captain of the first Corps in the army) to be
their speaker. *Sulpicius* was surprised to find himself surrounded by a
number of mutineers, and especially to see *Sextius*, at their head, whom
he had thought an unblameable officer. *Sextius*, in the name of the
army, reproached him with the disadvantageous opinion he seemed to
have entertained of the valour of his troops, and urged him to lead them
to the enemy. His speech to the Dictator was followed by the acclamations
of the multitude, who all cried out for leave to arm and march to battle.
Sulpicius found himself under a necessity of promising to comply with
their desires; but then, taking *Sextius* aside, he asked him, *What it was*
that had put him at the head of a Faction? The brave Centurion replied,
that it was not any want of respect to his General, or ignorance of the
Martial Laws; but to prevent the soldiers chusing an insolent leader, who
might

Year of might do something injurious to the dignity of the *Dictator*. He then
 ROM E advised *Sulpicius* to yield to the desires of the soldiers, who otherwise
 cccxv. seemed inclined to seize the first opportunity of fighting, whether he would
 Bef. J. C. or not. An accident presently convinced the *Dictator* of the truth of what
 Three hundred *Sextius* had told him. Two beasts of burden, which escaped out of the
 fifty- *Roman* intrenchments, and were seized by the *Gauls*, had like to have
 seven. been the occasion of a general action. The *Roman* soldiers were with
 difficulty restrained by their Centurions. *Sulpicius* therefore thought it
 no longer proper to delay the engagement, and gave notice in the camp
 that he would offer battle the next day.

The *Romans* being inferior to the *Gauls* in number, the *Dictator* to
 remedy this disadvantage, made use of a stratagem which had never been
 practised before. He ordered his Muleteers to put upon their mules the
 furniture of war-horses, to mount them, march silently up to the hills,
 and hide themselves in the woods, till they received farther orders. This
 extraordinary body of troopers, to the number of about one thousand, ap-
 pearing opportunely in the plain in the heat of the action, so intimidated
 the *Gauls*, who feared to be surrounded, that they presently dispersed and
 fled, losing more men in their flight than in the action, for few of them
 escaped the slaughter.

Sulpicius, when he had been honoured with a Triumph and had made
 a present of some of the enemies spoils to *Jupiter Capitolinus*, abdicated
 the *Dictatorship*, and the Government returned into the hands of the two
 Consuls for the year. *Plautius* vanquished the *Hernici*, and totally sub-
 dued them. But *Fabius* was defeated in battle by the *Tarquimenses*, who,
 to shew their contempt of the Republick, cut the throats of 307 *Roman*
 prisoners. However, the Conciliation of the *Latines*, the total Overthrow
 of the *Gauls*, and the Reduction of the *Hernici*, made this a prosperous year
 for the Republick. *Rome* was now in almost as flourishing a condition as
 before it was taken by King *Brennus*.

§. III. SOME *Roman* Citizens being at this time sent into the *Pomptin*
 Territory, to stop the incursions of the *Veliterni* and *Privernates*, formed
 a new Tribe there, called *Pomptina*, which, with the Tribe *Publicia*, or *Popilia*,
 lately established in the territory of the *Volscei*, made the whole number of
 the Tribes twenty-seven.

At this time, likewise a law was made, at the motion of *Pœtilius* the
 Tribune, and with approbation of the Senate, against openly canvassing
 for votes. It was occasioned by the ambition of the *Novi Homines*, or
 upstart Gentlemen, who, not content with soliciting suffrages in the *Forum*
 B.4.c.25. *Romanum*, went even to the country fairs, and other publick meetings, to
 buy voices. This, says *Livy*, was the first law of the kind preferred to
 the People; nevertheless, according to the same author, a law was passed
 in the year 321, forbidding the candidates to make their robes whiter than
 ordinary, and this * in order to give a check to the practice of canvassing
 for offices.

Under

Under the following administration of *C. Marcius Rutilus* and *Cn. Manlius * Imperiosus*, the interest of money, which before was arbitrary, was, at the motion of the *Tribunes of the People*, settled at One *per Cent. per month*^a. This regulation to displeased the avaricious *Patricians*, that, to revenge themselves on the *Plebeians*, they cited the famous *Lucinius Stolo* to answer for the breach of one of the four laws (which he himself had so zealously promoted) prohibiting any Citizen to possess more than five hundred acres of land. *Lucinius* actually possessed a thousand; but, to cover his breach of the law, had emancipated his son, and made him the nominal possessor of one half of them.⁷ However, he was convicted, before the *Prætor*, of fraud, and fined ten thousand ^b *Asses of Brass*. These intestine commotions being over, the *Consul Marcius* was ordered to conduct an army against the *Privernotes*, who the year before had declared against *Rome*. *Marcius* routed the enemy in the field, and pursued them to *Privernum*, which, to preserve it from being plundered, they immediately surrendered.

But *Cn. Manlius*, the other *Consul*, gained little glory in his expedition against the *Falisci*, whom he had been sent to punish for several insults on the Republick. Nothing was talked of in *Rome*, but his attempt upon the Constitution. He had ventured to assemble the *Tribes* near *Sutrium*, and had there made a law in his camp, That the twentieth part of the price of every slave, thereafter sold, should be paid into the publick Treasury. The Senate had consented to this law, notwithstanding the irregularity of holding the *Comitia* by *Tribes* in the Camp. But the *Tribunes of the People* thought this step of the *Consul* of dangerous consequence to the publick liberty; and therefore got a law passed, forbidding any man to assemble the People in *Comitia*, any where but in *Rome*, upon pain of death. However, the law relating to the twentieth part of the price of slaves was not repealed.

^a *Livy's* words are, *De UNCIARIO FOENORE*——*iogatio est perlata*, &c.
 “ The interest of money, both in *Rome*
 “ and *Greece*, was high for a considerable
 “ time. Simple interest was exacted month-
 “ ly in both places, at the rate of one *per*
 “ cent. *per month*.——The *Romans* paid a
 “ Denarius a month for 100 Denarii; and it
 “ is mentioned by *Cicero* as monthly.——
 “ And, because the *As* was reckoned any
 “ Integer, it was likewise called *Asses Usuræ*:
 “ So that *Asses Usuræ* and *Centesima Usuræ*
 “ are the same thing.——*Livy* and *Tacitus*
 “ mention the *Fœnus Unciarum*, and *Semu-*
 “ *nciarium*, as high, which according to the
 “ proportion of the *As*, being but $\frac{1}{12}$ or $\frac{1}{24}$ in
 “ the month, must only make 1 or $\frac{1}{2}$ *per*
 “ cent. *per Annum*. And the Law of the XII.
 “ tables forbids, *Ne quis unciario fœnore am-*
 “ *plus exercito*.” So it is expressed by *Tacitus*.

“ These expressions cannot be interpreted
 “ according to the analogy of the tal. ,
 “ but differ from all the others; and they
 “ certainly denote the *Centesima Usuræ*:
 “ But, how this way of expression in these
 “ two authors has happened, I can give no
 “ account: It seems they put the *Unia* for
 “ the *As* or *Integer*.——*Semis Usuræ* or
 “ $\frac{1}{2}$ *per cent. per month*, fix *per cent* a year,
 “ which *Pliny* calls *civilis et modica*, came to
 “ be the publick and customary interest of
 “ money; for the *Asses Usuræ* came to be a
 “ grievance, and occasioned great tumults
 “ among the people; yet still he that took
 “ it was not reckoned to transgress any
 “ law; and there were some greedy Usurers
 “ that exacted double, triple, nay four
 “ times as much.” *Arbutnot*, chap. xxii.
 “ Of the interest of money.
 “ ^b Or 32 l. 5 s. 10 d. *Arbutnot*.

Year of §. IV. THE *Consuls* for the following year, *M. Fabius* * *Ambustus*
 R O M E and *M. Popilius* † *Lænas* (both a second time) no sooner entered on their
 cccxcvii. office, than they took their Military employments by lot. *Popilius* com-
 Bef J. C. manded the army which was to act against the *Tyburtes*. He found them
 Three shut up within their walls, and ravaged their lands without opposition.
 hundred But *Fabius* had a more difficult war to manage against the united *Falisci*
 fifty-five. and *Tarquinienses*. They stired up all *Hetruria* against the Republick.
 Ninety- The *Hetrurians* advanced towards the *Roman* Territory, as far as the *Salt-*
 ninth Pits, on the banks of the *Tiber*; and their approach obliged the *Romans*
 Consul- to have recourse to the usual remedy in great emergencies. The
 ship. *Consul Popilius* was ordered to name a *Dictator*; and, as he was a *Plebeian*
 * A 2d himself, he pitched upon *C. Marcius Rutilus*, the *Plebeian Consul* of the
 time. last year, to raise him to that dignity. The *Dictator* likewise chose a
 † A 2d *Plebeian*, *C. Plautius Proculus* to be his General of Horse: so that now
 time. the government of the Republick was almost intirely in the hands of
 men of true merit, chosen out of the People. The *Patricians*, stung
 with jealousy at these promotions, did all they could to hinder the *Dicta-*
tor from having the necessaries for the war: but, on the other hand, the
 People hastened the preparations for the campaign, and the General
 marched out to meet the enemy. He surprised their camp, forced it, and
 took eight thousand prisoners. Notwithstanding so complete a victory,
 the Senate opposed the Triumph of a *Plebeian Dictator*; but the People
 did him justice, and he entered *Rome* triumphantly the day before the
Nones of May.

And now the time drawing nigh for electing new *Consuls*, and *Fabius*
 not being at *Rome*, the Nobility pretended that it was unlawful for any
Plebeian, though a *Dictator*, to preside in the *Comitia*; because by the
Pontifical Laws the election of chief Magistrates should be consecrated
 by *Auguries*; and *Auguries*, say they, belong of right only to *Patricians*.
 And for this time they prevailed. The Republick had recourse to an
Inter-regnum; and, which is very extraordinary, the *Plebeians*, in the
 very year in which they triumphed most, were excluded from a share
 in the Government; two *Patricians* were chosen *Consuls* in the ensuing
Comitia. The *Tribunes of the People* exclaimed against the election, as
 contrary to the custom practised for eleven years past, during which time
 one of the *Consuls* had always been a *Plebeian*. But the president of the
Comitia silenced the clamour, by citing a Law † of the *Twelve Tables*,
 That only the last edicts of the People should be of force: For they inferred,
 that the People, by chusing two *Patricians*, had in effect abolished the for-
 mer custom.

The new *Consuls*, *C. Sulpicius* || *Peticus* and *M. Valerius Poplicola*, after
 a slight battle, took *Empulum* from the *Tyburtes*, but did nothing else
 remarkable abroad during their administration. Their chief view was to
 keep the *Consulate* in *Patricians* hands; and, when the time came for new
 elections, they declared that they would never resign their dignity to any
 other than *Patricians*. This occasioned great commotions and tumults in
 the

† See 8th
 Law of
 the 9th
 Table, p.
 320.

Year of
 R O M E
 cccxcviii.
 Bef. J. C.
 Three
 hundred
 fifty-four.

100 Con-
 sulship.
 || A 3d
 time.
 1. B. 7.
 18.

the *Campus Martius*, inſomuch that the greater number of the People cried out, that a *Seceſſion* was neceſſary, and in reality quitted the aſſembly, leaving only the leaſt paſſionate behind them. This gave their ſuffrages for two *Patricians*, *M. Fabius* * *Ambuſtus* and *T. Quinctius Pennus*; and thus the Nobility carried their point. The Conſuls took the field; the former againſt the *Tyburtes*, whom he totally ſubdued; the latter againſt the *Tarquiniennes*, on whom the *Romans* now revenged the cruelty committed on the three hundred and ſeven *Roman* ſoldiers formerly mentioned. *Quinctius*, having defeated them in a bloody battle, put all the priſoners to the ſword, except three hundred and fifty-eight, whom he ſent to *Rome*, where, by order of the Senate, they were firſt beaten with rods, and then beheaded. Theſe victories extended the reputation of the *Romans*; inſomuch that the *Samnites* ſent an embaſſy to the Republick, courted her friendſhip, and concluded an alliance with her, probably upon the ſame foot as that with the *Latines* and *Hernici*. Without changing their Laws or Government, they engaged to furniſh the *Romans* with troops in their neceſſity; and the *Romans* promiſed to protect them againſt their enemies both at home and abroad. This was conſtantly the firſt ſtep taken by the politick Republick, in ſubduing the nations that lay neareſt to her. She flattered them with the title of Allies of the *Roman* People; and, when by their aſſiſtance ſhe had made herſelf miſtreſs of the more diſtant countries, thoſe who had ſuffered themſelves to be lulled aſleep under the title of Allies, found themſelves involved in her conqueſts; and, tho' they were ſtill called Allies, they were treated as Subjects.

Though the People were ſtill very deſirous to have one of the Conſuls *Plebeian*, the Nobility, as their creditors, had them ſo much under at this time, that they kept the Conſulſhip in their own hands; and *C. Sulpicius* † *Peticus* and *M. Valerius* ‡ *Poplicola* were again promoted to that dignity. While the Republick was preparing her levies to act againſt the *Tarquiniennes*, ſhe received advice from the *Latines*, that the *Volſci* were upon the point of entering the *Roman* Territory; and this obliged her to divide her forces between the two Conſuls. *Sulpicius* marched into *Hetruria*, *Valerius* againſt the *Volſci*. *Valerius* had already incamped on the confines of the Territory of *Tuſculum*, when he was recalled to *Rome* to nominate a *Dictator*. This was occaſioned by letters from *Sulpicius*, which imported, that the *Cerites* were undoubtedly diſpoſed to take part with the *Tarquiniennes*; that his army was not ſtrong enough to repreſs the inſolence of theſe enemies united; and that even the *Falſci* had joined the latter. In order therefore to have a third army on foot, to oppoſe the *Cerites*, while the two Conſuls checked the progreſs, the one of the *Volſci*, the other of the *Tarquiniennes* and *Falſci*, *Valerius* was directed to name a *Dictator*. Accordingly he named *T. Manlius Torquatus* to that dignity, who appointed *Cornelius Coſſus*, to be his General of Horſe. Though *Manlius* had never been Conſul (a neceſſary ſtep to riſe regularly to the *Dictatorſhip*) yet his merit was ſuch, that no oppoſition was made to his promotion.

Year of
R O M E
cccxcix.
Bef. J. C.
Three
hundred
fifty-three
101 Con-
fulſhip.
* A 3d
time.
Liv. B. 7.
c. 19.

Year of
R O M E
cccc.
Bef. J. C.
Three
hundred
fifty-two.
102 Con-
fulſhip.
† A 4th
time.
‡ A 2d
time.

Year of
R O M E
CCCC.
Bef. J. C.
Three
hundred
fifty-two.
102d Con-
sulship.
Livy, B.
7. c. 20.

But now the inhabitants of *Cære*, intimidated by the preparations made against them, instead of pursuing the war, sent an embassy to *Rome* to implore the clemency of the Senate. The Senate referred the Deputies to the People, who being moved to compassion by the repentance of the *Carites*, and especially when reminded that *Cære* had been formerly the *Afylum* of the *Vestals*, and the Receptacle of their Gods, granted them a truce for an hundred years, and the *Dictator*, instead of marching against them, led his troops against the *Falisci*. But neither on this side did he find an enemy in the field to contend with; so that, having laid their country waste, he immediately returned to *Rome*.

C H A P. VII.

§. I. *The Magistrates take effectual measures to relieve the Debtors, in order to maintain peace at home.* §. II. *The People suffer two Patricians to be declared Consuls. Nevertheless in this very Consulate the Commons prevail for the first time to have a Plebeian chosen to the CENSORSHIP.* §. III. *And notwithstanding that the present Consuls name a Dictator to hold the Comitia for the election of their successors, in order to get two Patricians chosen, M. Popilius Lænas, a Plebeian, is promoted (now a third time) to the Consulate with L. Cornelius Scipio. Cornelius falling sick, the Plebeian Consul has the sole conduct of a new war with the Gauls. A PRÆTOR acts as a General, for the first time. Two Patricians are chosen Consuls. The Gauls spread themselves on the sea-coast of Latium. M. VALERIUS (afterwards surnamed CORVUS) a Legionary Tribune, kills in single combat a Champion of the Gauls, and this occasions a general action in which the Romans obtain the Victory. Valerius, though but twenty-three years of age, is chosen to be one of the Consuls.* §. IV. *The Romans conclude a Treaty with the Carthaginians.* §. V. *The Interest money is lowered to Half per Cent. Valerius Corvus (now a second time Consul) defeats the Volsci, and takes from them Satricum. The Secular Games are celebrated for the second time.* §. VI. *A Dictator is named, on occasion of a war with a new enemy, the Aurunci. He builds a Temple, which he had vowed, during a battle with the enemy, to Juno Moneta. The year following, the Romans imagining that the Goddess, agreeable to her name MONETA, admonished them by Prodigies of the impending wrath of the Gods, P. Valerius is named Dictator, to order the celebration of the Feriæ Latinæ.*

Livy, B. §. I.
7. c. 21. **A**LL things were quiet in the city, till the time came for new Elections. The *Dictator*, who was to have presided in the *Comitia*, had formed the design of hindering any *Plebeian* being chosen to the *Consulship*; but the *Tribunes of the People* perceiving his intention, opposed the assembling of the *Centuries*, till the expiration of his *Dictatorship*, and of the *Consuls* year, both which ended at the same time. An *Inter-regnum*

num ensued ; and the two parties were irreconcilable. The People began to make complaints about their debts, as well as of the infraction of the *Licinian Law*, relating to the election of *Consuls* ; and the disputes grew to such a height, as seemed to threaten an open revolt. This apprehension induced the Senate at length to suffer the *Licinian Law* to take place, and to permit the *Centuries* to chuse one of the *Consuls* out of the *Plebeians*. C. * *Marcus Rutilus*, a *Plebeian*, was joined, with *P. Valerius Poplicola* in the Consulate. These Magistrates made it their first care to reconcile the two Parties, by easing the Debtors. To this end, they chose out * five men of known probity, to take an account of all debts, and see them discharged. These five were called *Bankers*, and they had the command of the Publick Treasury, to enable them to perform their commission, which they did to the satisfaction of all parties. Those who through sloth and carelessness, rather than want, had plunged themselves in debt, either borrowed Money of these Bankers, giving security to the publick, or else deposited the value of their debts in their creditors hands, in effects which were valued by the Bankers. By this means the greater number of the Debtors were relieved without wronging any person, and with little loss to the publick.

§. II. BUT, while the Republick was taking these methods to secure peace at home, she was suddenly alarmed with the report of a new war, which she must quickly sustain abroad against the twelve *Lucumonies* of *Hetruria* ; upon which the Senate immediately named *Julius Iulus Dictator*. The report however proved groundless, and was (probably) raised by the *Patricians*, only to get a man at the head of affairs, who might prevent the *Licinian Law* from taking place in the ensuing elections. And indeed he employed all his credit and power to that end, but without success ; for the People were so warm and steady in opposing his design, that both he and the *Consuls* were out of office before they could get the *Comitia* assembled.

In the *Inter-regnum* which ensued, *C. Sulpicius Peticus* and *M. Fabius* governed by turns ; and the People, by the complaisance which they had for these men, seem to have been actuated by some particular pique against the late *Dictator*, in their opposition to his desires ; for now they readily suffered two *Patricians* to be raised to the *Consulship*. *Sulpicius* † himself was one of them, and *T. Quinctius Cincinnatus* the other. The former marched against the *Tarquinienses*, and the latter against the *Falisci* : But these two nations being tired out by the calamities of war, submitted to the Republick, and obtained a truce for forty years.

The present interval of peace seemed a proper season for holding the *Comitia*, to elect new *Censors*. A day was accordingly fixed for this purpose, and it was the first time that any *Plebeian* was seen to stand *Candidate*

Year of
R O M E
CCCCI.
Ref. J. C.
Three
hundred
fifty-one.
103d Con-
sulship.
* A 2d
time.

Year of
R O M E
CCCCII.
Ref. J. C.
Three
hu
died
fifty.

104th
Consul-
ship.
† A 5th
time.

* C. DUILIUS,
P. DECIVS MUS,
M. PAPIRIUS,

Q. PUBLIIVS,
T. ÆMILIIVS.

Year of R O M E CCCCII. Def. J. C. Three hundred fifty. for that important office. *C. Marcius Rutilus*, having been twice *Consul* and once *Dictator*, thought he might well aspire to any dignity in the Republick. He was the first of the Commons who had been raised to the *Dictatorship*; and, in spite of the opposition of the Nobles, he had obtained a TRIUMPH for his exploits in that station. And now, in the *Comitia by Centuries*, he was declared *Censor*, with *Cn. Manlius* a *Patrician*.

104th
Consul-
ship.

§. III. BUT, though the *Patricians* had not been able to exclude the *Plebeians* from the *Censorship*, they still hoped to secure the Consulship wholly to themselves; and, the better to succeed in that design, the present *Consuls* named *M. Falsus Ambustus* (who had been thrice Consul) *Dictator* to preside at the next election, imagining, that an absolute Governor would be more respected in the *Comitia*, and have more influence. But,

Year of R O M E CCCCIII. Def. J. C. Three hundred forty-nine.

notwithstanding these precautions, *M. Popilius Lanus*, a *Plebeian*, was now chosen *Consul*, a third time; and his Colleague, *L. Cornelius Scipio*, falling sick when he should have taken the field, the Senate had the farther mortification of seeing the *Plebeian Consul* sole General of the Troops. *Popilius* immediately ordered levies to be made, to stop the progress of the *Gauls*, who were ravaging the *Latine* Territory, and approached towards *Rome*; and, to be the sooner in readiness for marching, he appointed the Enrollment without the Gate *Capena*, and not upon the *Capitol*. So great a number of soldiers enlisted themselves on this occasion, that the Consul, by order of the Senate, divided them into two armies, and left one to guard the City, under the command of *M. Valerius Poplicola*, the present *Prætor*. And this was the first time that the *Prætor* was seen at the head of an army. *Popilius* with four *Legions* and some auxiliaries marched against the enemy, defeated them, plundered their camp, and led back to *Rome* his victorious army, enriched with spoil. He was decreed a Triumph at his return; but the ceremony was deferred on account of a wound he had received in the battle, and of which he was not yet recovered. His Colleague *Scipio* continued likewise still sick; so that the Republick, seeing both her chief Magistrates out of a condition to discharge their functions, desired them to name a *Dictator* to preside at the election of new *Consuls*. Accordingly they named *L. Furius Camillus* (son of the Great *Camillus*) to that dignity, who appointed *P. Cornelius Scipio* to be his General of the Horse. These two eminent *Patricians* employed their utmost efforts to make the election fall only on men of their own order, and they succeeded. The *Dictator* prevailed to have himself chosen one of the *Consuls*; and *Appius Claudius*, surnamed *Crassus*, another *Patrician*, was appointed his Colleague.

105th
Consul-
ship.
Liv. B. 7. c. 23.
Appian
in Celtic.

Livy, B. 7. c. 24.

Year of R O M E CCCCIV. Def. J. C. Three hundred forty-eight.

And now the *Gauls*, who after their late defeat had fled for refuge to the hills of *Alba*, came down again, and spread themselves upon the Seacoast in the country of the *Latines*. At the same time some *Greeks* (from

106th
Consul-
ship.

* The gate *Capena*, now called the gate of *St. Sebastian*, led to the *Appian Way*; as we learn from *Frontinus*, who tells us, that the

Censor Appius made a great road from this gate quite to *Capua*.

what

what part is uncertain) made a descent on the very same coast where the Gauls were ravaging and plundering, *i. e.* from the mouth of the *Tiber* to *Antium*; but the *Gauls*, jealous of their booty, forced these new invaders back to their ships. While the *Greeks* still hovered about the Coast, and the *Gauls* were yet in *Latium*, the Republick lost one of her Generals, who should have acted against these Robbers; *Appius*, one of the *Consuls*, died during the preparations for the war. It seemed expedient to nominate a *Dictator* to act in concert with the surviving *Consul*, but the Senate were unwilling to give *Camillus* any superior. He had obliged them in the late Elections, his personal merit was great, and his very name of *Camillus* was a good omen in a war with the *Gauls*; all these considerations made them accept of him as sole Governor of the Republick; so that he wanted little more than a greater number of *Lictors* to commence a regular *Dictator*. His first care was to raise two armies. The *Latines* were summoned to furnish their contingent of Auxiliaries; but they refused to be commanded by a *Roman* General; and, in a National Diet, resolved to shake off the dishonourable yoke. However, the *Consul* found *Roman* Citizens enough, who by Law were obliged to serve, to compose a body of ten *Legions*, amounting to 45,000 men. *Camillus* left two of these *Legions* to guard the city; gave four to *L. Pinarius* the *Prætor*, whom he sent to defend the sea-coast against the *Greeks*; and he himself incamped with the other four in the *Pomptin* territory, a country full of marshes and rivers; for he had no design of coming to a battle with the *Gauls*; his only view was to harass the enemy in their posts, intercept their convoys, and, if possible, to starve them. While both armies continued unactive, a fierce *Gaul* of a gigantick stature appeared between the two camps, defying the bravest man in the *Roman* Legions to single combat. *M. Valerius*, a *Legionary Tribune*, great grandson of the famous *Valerius Volusus*, accepted the challenge, and is said to have obtained a victory by means of a Raven, which had perched upon his helmet ever since day-break, and which, during the fight, flew in the face of the Giant, and so blinded him with his wings, that *Valerius* easily stabbed him. The *Gauls*, seeing their champion slain, immediately crowded round his body, to hinder him from being stripped of his armour; and the *Romans* at the same time ran to defend *Valerius*, and this by degrees brought on a general battle, in which the *Gauls* were again defeated. Those of them that escaped took their way through the country of the *Volsi*, and, crossing *Campania*, retired as far as the coasts of the *Adriatick* sea. As for the brave *Valerius*, the General rewarded him with a crown of Gold and ten Oxen; and he ever after bore the name of *Corvus*.

Nothing now remained for the *Consul* to do, in order to finish his year with honour, but to drive away the *Greek* pirates that infested the coasts of *Latium*. With this view he joined his army to that of the *Prætor Pinarius*; but the obstinacy of those adventurers, who, though they durst not land, continued hovering at sea, obliged him to keep the field longer than he had imagined. In the mean while the time for the new election

Year of
R O M E
cccciv.
Ber. J. C.
Three
hundred
forty-
eight.

106th
Consul-
ship.
Livy, B.
7. c. 25.
Diod Sic.
B. 10.

Aul. Gel.
b. 9. c. 11.
Livy, B.
7. c. 26.
Auth. of
Lives of
Illust.
Men. c.
29.

* Raven.

of

Year of
ROM E
ccccc.
Ref. J. C.
Three
hundred
forty-
seven.
107th
Consul-
ship.

of Consuls drew near, so that he was obliged to name a *Dictator* to pre-
side in the *Comitia*; and on this occasion the famous *Manlius Torquatus*
was again raised to that dignity. A *Dictator* could not fail to have a con-
siderable influence in the assembly of the *Centuries*; and *Manlius*, who was
extremely pleased with the exploit of *Valerius*, so much resembling his own
former victory over a gigantick *Gaul*, found means to prevail with the Peo-
ple to chuse him one of the Consuls, though but twenty-three years of age,
and too young to have a place in the Senate. With him they joined *Po-
pilius Lenas*, now *Consul* a fourth time.

As for *Camillus*, he made so good an appearance on the coast, that the
Greeks not daring to come ashore, and at last wanting fresh water and other
necessary provisions, put out to sea.

Livy, B.
7. c. 27.

§. IV. THE armies were disbanded; and *Rome*, for a short space, had
neither War abroad, nor Quarrels at home. Her Tranquillity however was
not complete: a pestilential sickness disturbed it. The Senate directed
the Decemvirs to consult the Sibylline Books, and, it being there found
that the *Leetisternium* would be good against the plague, they ordered that
notable ceremony to be performed.

But the most memorable event of the present year was A Treaty of Friend-
ship and Alliance between ROME and CARTHAGE. It was made at the re-
quest of the *Carthaginians*, who sent Ambassadors to *Rome* for that end;
and it seems to have been the first^a Treaty concluded between the two States:

Cum

^a *Orosius*, (lib. 3. cap. 7.) calls the TREATY
made at this time the *First*—PRIMUM illud
ictum cum Carthaginiensibus fœdus.

Polybius pretends, that, so early as the first
year of the Republick, ROME and CARTHAGE
entered into a TREATY, the record of
which, in the old obsolete Latin, was, in
his time, still extant: and he gives us the
following Translation of it, as made with all
possible exactness:

“ THERE shall be peace and friendship
“ between the *Romans* and the Allies of the
“ *Romans*, and the *Carthaginians* and the
“ Allies of the *Carthaginians*, on the fol-
“ lowing conditions:

“ The *Romans* and the Allies of the *Ro-
mans* shall not navigate beyond the *Fair
Promontory* *, unless constrained by tem-
“ pest or an enemy. If at any time they
“ shall chance to be forced ashore [beyond
“ that promontory] they shall not be per-
“ mitted to take or buy any thing but what
“ they need for repairing their vessels, and
“ for their sacrifices. None shall make
“ longer stay ashore than five days.

“ On those who shall come to traffick, no
“ duty shall be imposed beside the Fees to
“ the Cryer and Register; and for payment
“ of whatever shall be sold, whether in *A-
frica* or *Sardinia*, in the presence of those
“ officers, the publick Faith shall stand en-
“ gaged to the seller. If any *Romans* shall
“ come to such places in *Sicily* as are in sub-
“ jection to the *Carthaginians*, they shall have
“ justice done them in all things.

“ The *Carthaginians* shall do nothing to
“ the detriment of the people of *Ardea*, *An-
tium*, *Laurentum*, *Circeii*, or *Tarracina*, or
“ any other of the *Latines* whomsoever, if
“ they be subject [to the *Romans*] and if any
“ be not subject, yet the *Carthaginians* shall
“ make no attempt on their towns, if they
“ make seizure of any such towns, they shall
“ deliver up the same unhurt to the *Romans*.
“ They shall not build any fort in the coun-
“ try of the *Latines*; and in case they shall
“ at any time land their arms, they shall
“ not remain there one night.” *Polyb. B. 3.
c. 22.* See what is said in relation to this
Treaty, in p. xxvi. & seq. of the Dissertation

* That is, to the Southward of it, towards the lesser *Syrtis*, as *Polybius* explains it. But the *Romans* were
permitted to have trade and commerce with *Carthage* and the rest of *Africa* on the other side the *Fair Promontory*,
as likewise in *Sardinia* and those parts of *Sicily* which are dependent on *Carthage*.

Cum Carthaginienſibus legatis *Romæ* FOEDUS ICTUM, quum amicitiam ac ſocietatem petentes veniſſent. *Liv.* lib. vii. cap. 27.

§. V. IN the following Conſulſhip of *C. Plautius Hyppſæus* and *T. Manlius Torquatus* (who, though twice *Dictator*, had never been *Conſul* before) nothing remarkable happened, except the reducing of the interell of money from one *per Cent.* [per month] to half *per Cent.* and the allowing the debtors, upon their paying down one fourth of their debts, three years to diſcharge the remainder by annual and equal payments; and the debtors had this further relief, that no levies were made, nor taxes raiſed this year.

BUT the next year, when *Valerius * Corvus* and *C. Poetelius Libo Viſolus* were in poſſeſſion of the *Faſces*, news being brought from *Latium* that the *Volſci* were ſoliciting the *Latines* to take arms againſt *Rome*, *Valerius* received orders to march and attack the *Enemy* before their Confederates could join them. *Satricum*, which the *Latines* had deſtroyed in 377, had been rebuilt and repeopled by the *Volſci* in 405, and was now the rendezvous of their forces. Here *Valerius* gave them battle, put them to the rout, and, having taken the town, burnt it, ſparing only the Temple of the Goddeſs *Matuta*; after which he returned to *Rome*, and entered it in Triumph with four thouſand captives before his chariot. But according to the *Capitoline Marbles*, the Triumph of *Valerius* was not the moſt pompous ſhow with which the *Romans* were entertained in his Conſulate; the *Secular Games*^b, which had been inſtituted in the year of *Rome* 297, were now celebrated for the ſecond time.

§. VI. THE *Romans*, after the Victory over the *Volſci*, were attacked by the *Aurunci*, a petty nation near the confines of *Latium*, on the coaſt of the *Tyrrhenian* ſea; and the Republick, being ſtruck with the ſame terror

on the Credibility, &c. prefixed to the Second Volume.

Polybius gives us another Treaty, as the ſecond, between the two republicks, but does not tell us when it was made. It differed from the firſt in the following particulars:

The *Tyrians* and thoſe of *Utica* were comprised in it. For it was a treaty between the *Romans* and their Allies on one ſide, and the *Carthaginians*, *Tyrians*, *Uticenſei*, and their Allies on the other.

To the *Fair Promontory* were added *Maſſia* and *Tarſeium*, as places beyond which the *Romans* were not to go in ſearch of Plunder nor build a City, nor carry on any commerce. [The Geographers know not the ſituation of theſe places.]

The *Romans* might trade to the towns of *Sicily* ſubject to the *Carthaginians*, but were to have no commerce in *Sardinia*, nor in any part of *Africa*, except the City of *Carthage* only. Here they were to be allowed the

ſame rights and privileges [in point of Trade] as the Citizens themſelves; and the *Carthaginians* were to have the like treatment in *Rome*.

If the *Carthaginians* ſhould take any Town in the Territory of the *Latines*, not under the *Roman* Dominion, they might keep the Pillage and Captives, provided they relinquished the town; but if the *Carthaginians* ſhould make any Captives among thoſe of the *Latines*, who, though not ſubject to *Rome*, were, by a written Treaty, in league of amity with her, and ſhould bring ſuch Captives into any *Roman* port, and theſe Captives ſhould be diſcovered and challenged by any *Roman*, they ſhould be ſet at liberty.

The *Romans* were to be ſubject to the like reſtrictions with regard to the *Carthaginians* and their Allies. *Polyb.* B. 3. c. 29.

^b The nature and origin of theſe Games will be ſpoken of hereafter.

Year of
R O M E
ccccvi.
Bef. J. C.
Three
hundred
forty-fix.
108th
Conſul-
ſhip.
Livy, B.
7. c. 27.
Year of
R O M E
ccccvii.
Bef. J. C.
Three
hundred
forty-five.
109th
Conſul-
ſhip.
A ſecond
time.

Year of R O M E ccccviii. Bef. J. C. Three hundred forty-four. 110th Consulship. * Alecond time Dictator.

as if all *Latium* had declared against her, ordered the Consuls *M. Fabius Dorso* and *Servius Sulpicius Camerinus* to nominate a *Dictator*; the Courts of justice were shut up, and the Levies made with the utmost rigour. *L. Furius * Camillus*, whom the Consuls named to the *Dictatorship*, marched away to meet the enemy, and was greatly surpris'd, when he came within sight of them, to find that they made no better appearance than a gang of robbers. Nevertheless, because they had the hardiness to be the aggressors, and readily to offer him battle when he appeared, he thought it expedient to seek aid of the Gods; and therefore in the heat of the conflict vowed a Temple to *Juno Moneta*†. The *Aurunci* were too weak to resist the *Roman* forces; *Furius* returned victorious to *Rome*; but, resigning his Dictatorship, left to others the care of performing his vow. The Senate appointed *Duumvirs* to direct the building of the Temple, promised to the Goddess. It was erected on the *Capitol*, in the same place where the house of *Marcus Manlius* had stood. The Consuls employed the *Dictator's* army against the *Volsci*, and, coming upon them un-awares, took from them *Sora*.

Year of R O M E cccci. Bef. J. C. Three hundred forty-three. 111th Consulship. † A 3d time. † A 2d time. || Macrobian.

The succeeding Consuls, *C. Marcius † Rutilus* and *T. Manlius ‡ Imperiosus*, consecrated this new Temple the first || of *June*, a year after it had been vowed. This ceremony was immediately followed by prodigies; thick darkness in the day-time, and a shower of stones. After consulting the *Sibylline Books*, the Senate judged it expedient (the multitude being full of superstitious fears) to name a *Dictator*, whose business should be to order the solemnisation of the festival called *Feriæ Latinæ*. *P. Valerius*, being rais'd to that office, not only oblig'd the *Roman Tribes*, but the Nations bordering on the *Roman Territory*, to observe the Festival, appointing the day when each should perform their devotions.

Severe sentences (it is said) were, at the suit of the *Ædiles*, pass'd, this year, against the *Ufurers*.

Satur. * This name had been given to the Queen † ing a sow with pig. Hence she was called *Moneta* §. Afterwards the Temple of *Juno Moneta* became a publick Mint; and from thence the Medals, which were stamp'd for current coin in trade, took the name of *Moneta*, MONEY.

Book 1. of the Gods a little before the taking of Rome by the Gauls. It was pretended, that from the Temple of *Juno* had come a voice, accompanied with an earthquake, and that the voice had admonish'd the Romans to avert the evils that threaten'd them, by sacrific-

Livy. B. 7. c. 28.
Cicero, de Divin. B. 1. n. 101.

§ From *monere*.

C H A P. VIII.

§. I. *In the administration of M. Valerius Corvus (a third time Consul) and Cornelius Cossus Arvina, happens the FIRST RUPTURE between the ROMANS and SAMNITES, on occasion of a war which the latter had carried on with success against the people of Capua in Campania. The Campanians, to engage the Romans to succour them in their distress, make a surrender of themselves and their country to the Republick. Hereupon Valerius is directed to march an army into Campania, and Cornelius to carry the war into Samnium. Valerius, in an action with the Samnites, has the advantage. §. II. Cornelius, on the other hand, by an imprudent march brings his army into danger of being intirely cut off by the enemy; however, he is delivered out of his difficulty by a stratagem, suggested and executed by a Legionary Tribune, named P. Decius Mus; and presently after, following the advice of the said Decius, he gains a victory over the Samnites. Decius is rewarded with many honours. §. III. Valerius obtains a second victory over the Samnites in Campania. These successes make the Romans respected abroad.*

§. I. **T**HE Dictator having, for some reason (not mentioned by the Historians) reduced the Government to an *Inter-regnum*, the President of it held the *Comitia* by *Centuries*, for electing new *Consuls*. The choice fell (as the last year) upon two *Patricians*. *M. * Valerius Corvus* was now raised a third time to the *Consular* dignity, and with him was joined *Cornelius Cossus*, surnamed *Arvina*. It was during their administration, that the *Romans* and *Samnites* first became enemies. A city to which the Republick had no relation at that time, sowed those seeds of discord between the two nations, which produced a lasting hatred.

The *Sidicini*, a people of *Aufonia*, situated beyond the *Liris*, being attacked by the *Samnites*, who doubted not to make an easy conquest of their small territory, applied themselves to the *Campanians* for assistance. It was the interest of the latter to succour their distressed neighbours, and stop the progress of the *Samnites*; but they undertook the defence of the oppressed with more ostentation than real strength. For, though they possessed a very fruitful country, and tho' commerce daily increased their riches, this wealth of private persons was the weakness of the State. Luxury reigned universally; the Houses were magnificent, but the City without Fortifications. The Merchant, vain of his wealth, mistook his vanity for courage, and looked down with scorn upon enemies that were not so rich as he.

This contempt, ever imprudent, often fatal, of an enemy's strength, proved the ruin of *Capua*. The *Samnites*, who had a prospect of more glory and advantage in the conquest of the *Campanians* than of the *Sidicini*, turned their arms against the former, and having defeated them in two pitched battles, in which the vanquished lost all their youth, drew near to

Year of
R O M E
ccccx.
Bef. J. C.
Three
hundred
forty-two
112th
Consul-
ship.
* A 3d
time.
Livy, B.
7. c. 29.

Year of R O M E besiege their City, that had now no other defence than weak walls, and inhabitants filled with consternation.

CCCCX. The Magistrates in this distress had recourse to Rome; they sent a pompous embassy to implore the alliance and assistance of the Romans. Their ambassadors laid before the Senate all the motives both of glory and interest, which could engage the Republick to undertake their defence; the extremity to which they were reduced, and the power of their enemies, which would be considerably augmented by the conquest of so rich a city as Capua. They added, "*Such is the misery of our present condition, that, if we are not immediately succoured by our friends, we must fall under the power of our enemies. If you defend us, you will secure to yourselves allies full of fidelity and gratitude; we shall honour you as Founders of our State, as our Parents, nay, even as the immortal Gods. If you abandon us, what will be the consequence we dread even to imagine.*" To this humble address the Senate, whether out of regard to the faith of Treaties, as Livy represents it, or to draw more solid advantages from the assistance they should give the Campanians, than a vain title and empty praises, answered the ambassadors by the Consul Valerius, *That they thought the CAMPANIANS worthy of their assistance, and wished they could with honour succour them; but that the Republick had an ancient alliance with the Samnites, which would not allow her to take arms against them! that the Senate however would send Deputies to their camp, to intreat them as Friends and Allies to desist from their hostilities.* The Campanian Deputies had hitherto spoken only of an alliance and confederacy with the Romans, but now, not thinking the answer they had received sufficient to build great hopes on, the chief of them (pursuant to the powers with which they had been invested before they left Capua) made this farther declaration: *Tho' the Romans refuse to protect us and ours against violence and injustice, they certainly will not neglect to defend their own. The People of Campania, the City of Capua, our Lands, our Temples, every thing we have divine and human, we absolutely give and surrender to you, O Conscript Fathers, and to the ROMAN PEOPLE; from this time forward therefore all our losses will be yours.* This said, the ambassadors prostrated themselves on the threshold of the Senate-house, and, holding up their hands to the Consuls, shed a flood of tears. Self-interest and compassion made new impressions on the minds of the Senators; they were moved, says Livy, at the sad revolution to which human affairs are liable; to see a nation, late so rich and flourishing, so proud and luxurious, and from whom its neighbours had implored assistance against oppression, reduced in a short time to so dejected a state of mind, as to give themselves and all their possessions into the power of a foreign people. And as the donation was made in due form, by Ambassadors authorised to make it, the Senate did not think their alliance with the Samnites obliged them to refuse it. Without hesitation therefore they sent away Deputies with instructions to intreat the Samnites, as friends, to spare a province which belonged to Rome; and, in case of refusal, to give them notice, in the name of the People and Senate of Rome, to quit the country immediately. But the Samnite Magistrates were so far from being intimi-

intimidated by the Majesty of the *Roman* name, that, in the very presence of the Deputies, they ordered the Commanders of their Troops to go instantly and ravage *Campania*.

This insult filled both the *People* and *Senate* with indignation; and the *Romans* applied themselves wholly to the making preparations for a war. All the due forms of demanding satisfaction and proclaiming war by the *Feciales* having been observed, the two *Consuls* took the field, each at the head of an army. It fell to *Valerius's* lot to command in *Campania*, and *Cornelius* was to enter the country of the *Samnites*. *Valerius* posted his troops near mount *Gaurus* in *Campania*; and, being there advantageously situated, he was in no haste to come to a battle, but tried the *Samnites* in slight skirmishes, to learn their way of managing their arms. At length he assembled his troops, exhorted them *not to be afraid of new enemies, or of a new manner of fighting*; bid them remember *their former Victories, and by what General they were now commanded*; that it was *Valerius, who had thrice obtained the Consulship, not by Intrigue, or the Nobleness of his Birth (honour being now the reward of merit only) but by his bravery*; reminded them *that he was descended from the Great Poplicola, and had himself been always a Poplicola in the true meaning of the word*. Go then, ROMANS, he added, *fall upon the enemy, and, in return for my affection to you, gain me the honours of a triumph*.

Never was Consul more popular; never was General more tenderly beloved by his soldiers. He took a pleasure in mixing with them, and sharing the labours of the meanest among them. *Valerius* frequently made one at their diversions, whether Wrestling or Running, and did not disdain to enter the lists with a common soldier. He always kept his temper, and, whether victorious or vanquished in these exercises, his countenance never changed. He was continually bestowing favours, but with a just regard to times and persons. He was easy in his private conversation, and gave every man full liberty to express his sentiments in his own manner; but, as for himself, he ever maintained a certain dignity in his discourses. It was natural for troops to love and respect a General of this character. They marched out of the camp with a more than usual ardour for victory.

When the two armies were drawn up, and faced each other, their numbers appeared to be pretty equal. The battle was fought with wonderful resolution on both sides; but the *Samnites* began at length to give ground, when the night put an end to the conflict. The *Romans* had never engaged with more stubborn enemies, and perhaps would not have known that they had gained much advantage, if the *Samnites* had not deserted their camp in the night.

§. II. BUT whilst *Valerius* was signalising his courage in *Campania*, his Colleague *Cornelius Cossus*, who had been advantageously posted near *Saticula* on the confines of *Samnium*, left his camp (for what reason is unknown) and marched his troops through a mountainous country into a forest, all the roads of which were narrow, and out of which there was but one passage,

Year of
R O M E
CCCCX.
Bef. J. C.
Three
hundred
forty-two
112th
Consul-
ship.
Liv. B. 7.
c. 32.

c. 33.

c. 34.

Year of
R O M E
ccccx.
Bef. J. C.
Three
hundred
forty-two
112 h
Consul-
ship.

and that through a deep valley. It was not in his power to alter his march, when he discovered, that both the wood and the valley were lined with *Samnites*, and that he was in a manner furrounded by the enemy. In this distress *P. Decius Mus*, a *Legionary Tribune*, proposed to the *Consul* to detach him with the *Principes* and *Haſtati* of one *Legion*, to take poſſeſſion of an eminence which overlooked the *Samnites*, and which they had neglected. He added, *When you ſee me poſted there, continue your march, without fear, through the valley; the enemy will not dare to attack you while they are expoſed to our darts.* The *Consul* approved of the motion. *Decius* was not diſcovered by the enemy till he had juſt gained the eminence; and then the *Samnites* were in ſuch a ſurpriſe, that they could come to no determination what to do, whether to attack the *Consul*, or *Decius*. In the mean time *Cornelius* took advantage of their irreſolution, and marched through the valley without moleſtation; and ſo on after the night came on.

Iivy, B.
7. c. 35.

c. 36.

Decius had at firſt expected to be attacked by the enemy on his hill; and hoped by the advantage of the ground to be able to withſtand them. When he found that they neither came to aſſail him, nor yet raiſed any Works between him and them, he aſſembled his ſoldiers, and exhorted them not to follow the enemy's example, but to form ſome deſign with expedition, and to execute it with courage. Then while it was yet day-light, changing his habit with a private ſoldier, and being accompanied by his *Centurions*, whom he made to do the like, that the enemy might not diſtinguiſh them to be Officers, he took a view of all the avenues to the hill, and placed centinels at them, with orders to return ſilently to the main body, at the ſecond watch of the night. When at that hour all his men were re-aſſembled, he laid before them the neceſſity of leaving the place where they were, and put it to the vote, whether to ſtay for day-light, or march off immediately, and force a way through the enemy, while they were aſleep. The latter being univerſally approved, *Decius* led his troops down from the rock in great ſilence; but, when they had got half-way through the enemy's camp, a *Roman* ſoldier ſtruck his foot againſt the buckler of a *Samnite*, and, the noiſe awakening a centinel, he gave the alarm in that quarter. The *Samnites* ran to arms, without knowing whether it were *Decius* with his troops, the *Consul* with his army, or ſome *Samnite* of the camp, who had diſturbed their reſt. In the miſt of this uncertainty, *Decius* ordered his men to give a great ſhout, which ſo increaſed the conſternation of the *Samnites*, that they were in a manner frozen with fear, and the *Romans* eaſily made their eſcape. When they were come near the *Consul's* camp, *Decius* commanded them to halt: *It is not fit, ſaid he, that after ſo glorious an exploit you ſhould enter the camp in ſilence and darkneſs; reſt yourſelves therefore here till the light returns.* The next morning *Decius* and his troops marched into the camp, with the acclamations of the army, who called them their *Preſervers*, and gave thanks to the Gods for their happy return. But when the *Consul* (having ſummoned all his ſoldiers to hear his harangue) was beginning to make the Panegyrick of *Decius*, this brave Tribune adviſed him, inſtead of loſing time



A. & Roman Soldier in the Sagum.

time in Panegyrics, to march away immediately, and surprise the camp of the enemy, who, in all probability, had sent out detachments in quest of him. This advice was followed; the Romans surprised the Samnites scattered about the hills and woods, and pursued them into their camp, where thirty thousand of them were cut to pieces.

This success added much to the glory of Decius, who was honoured with all the military rewards that were ever given to a Subaltern. Beside a Crown of Gold, he received from the General a present of an hundred Oxen, and a white Bull with gilded horns. As for the soldiers of his detachment, the Consul, in recompence of their merit, assigned them a double quantity of Corn, not only for the present, but during life, and he gave each of them two *Saga*^a. The army likewise shewed their gratitude to their deliverer, by putting on his head an *Obsidional Crown*^b. And, lastly, his own detachment, which he had brought safely out of the danger into which he had led them, bestowed a mark of distinction on their leader, and crowned him with a *Civick Crown*, or a Crown of Oak-leaves, which was deemed the most honourable of all rewards. Thus adorned with three Crowns, he offered up his white Bull in sacrifice to Mars, and distributed his hundred oxen among the companions of his danger, and sharers of his glory.

§. III. BUT the campaign was not yet ended. The Samnites, having recovered their courage, and raised new forces, appeared before *Suessula*, a town situated between *Nola* and *Capua*. *Valerius* marched against them, and, when he came within a small distance of them, incamped his troops within as narrow a compass as he possibly could, and by this he deceived the enemy; for they taking a view of his camp, and finding it so small, imagined the Romans to be but weak in number, and therefore, full of confidence, offered them battle. *Valerius* kept close within his intrenchments, and made such a shew of fear, that the Samnite soldiers were for immediately forcing his lines. However the officers retrained their impetuosity; and, believing that the Romans must soon want provisions, they judged it a wise part to continue quiet in their camp, and watch them, not reflecting that the Romans were in a friend's country, whose interest it was to support them. In short, the Samnites themselves were the first who wanted necessaries, and were obliged to send out large detachments to convey provisions to their camp. *Valerius*, observing this, seized the moment when the greater part of the enemy's troops were dispersed about the coun-

^a The *Sagum* of the Romans was a military habit, open from top to bottom, and usually fastened on the right shoulder with a buckle, or clasp. It was not different in shape from the *Chlamys* of the Greeks, and the *Paludamentum* of the Generals. The only difference between them was, that the *Paludamentum* was made of a richer stuff, was generally of a purple colour, and both longer and fuller than the *Sagum*. The adjoining Plate will shew the form of this garment, which the Latin authors call *Sagum*, and *Chlamys*, and *Paludamentum*.

^b It was customary among the Romans for the garrison of a besieged place to crown the General who came to its relief, and raised the siege, with a Chaplet or Garland made of the Grass growing in the place. It was called *Corona Obsidionalis*. A. Gell. L. 5. c. 6.

Year of
R O M E
ccccx.
Bef. J. C.
Three
hundred
forty-two

112th
Consul.
ship.
Livy, B.
7. c. 37.
Aul. Gel.
B 5.

Auth. of
Lives of
Illust.
Men. c.
26.

Liv. B. 7.
c. 37.

Year of
R O M E
ccccx.
Bef. J. C.
Three
hundred
forty-two

try, attack their camp, forced it, made a great slaughter there, and then with his cavalry chased the several parties that were abroad foraging. In this action the *Romans* took one hundred and seventy standards from the enemy.

112th
Consul-
ship.
Livy, B.
7. c. 38.

The successes of *Valerius* and *Cornelius* (to whom the Senate decreed the honours of the TRIUMPH) made the Republick respected abroad; the *Falisci* entered into a treaty of alliance with her, and that whole *Lucumony* of *Hetruria* became *Roman*. The *Latines*, who had stood neuter to see the event of the war, commenced hostilities against the *Peligni* (a *Samnite* nation) as it were to assist the *Romans*; and, lastly, the *Carthaginians* sent a compliment of congratulation to the Republick, with a present of a Gold crown of twenty-five pounds weight to *Jupiter Capitolinus*, by way of thanksgiving for her victories.

Euseb.
Chron.

By a *Census* taken this year it appeared, that the number of *Romans* able to bear arms amounted to 160,000.

C H A P. IX.

Some Cohorts of Roman soldiers, who had been left in Capua all the winter, plot to make that delightful City their own, and to settle there. The measures taken by one of the Consuls, to defeat this scheme, occasion a desertion. The deserters are joined by great numbers of malecontents from Rome. They force an old soldier, whom they find employed in busbandry, to be their leader. Valerius Corvus is hereupon named Dictator, to march an army against the mutineers. He meets them eight miles from Rome, and prevails with them to submit; yet they, besides pardon, obtain some concessions from the Republick.

Year of
R O M E
ccccxi.
Bef. J. C.
Three
hundred
forty one.

113th
Consul-
ship.
Livy, B. 7.
c. 38, 39
&c.

THE Consuls for the new year were *C. Marcius Rutilus*, a *Plebeian*, (now raised to that dignity a fourth time) and *Q. Servilius Ahala*, a *Patrician*. The latter incamped the army allotted him in the neighbourhood of *Rome*, while the former marched with another into *Campania*. A body of *Romans* had, at the request of the *Campanians*, been left in *Capua* all the winter to defend them from the enemies incursions. When *Marcius* arrived in that City, he perceived a great alteration in those soldiers of the Republick. Discipline had been neglected; their austerity of manners was changed into effeminacy, and their sobriety into intemperance. The charms of the climate and the air, which they breathed in idleness, had so far bewitched them, that they did not care to hear their own country mentioned; and the less, as at home they were oppressed by their creditors. They had entered into a plot among themselves, to drive the natives out of *Campania*, seize it for their own possession, and settle there. *Marcius* was informed of all this; and, as he was a man of great experience and prudence, he made use of the gentlest methods to induce them to drop their design. He checked the sedition for the present, by indulging them in the hope that they

they might put their scheme in execution whenever they pleased : For he caused a rumour to be spread, that they should spend the following winter in the same places. This hope prevailed likewise among the other Romans dispersed up and down in *Campania*. In the mean time he contrived, under various pretences, to send away the most factious, at first one by one, and afterwards by whole *Coborts* ; yet so, that no soldier was dismissed with disgrace. But at length the Troops observed the General's conduct, and penetrated into his intentions. They presently imagined, that their companions had been tried and condemned at *Rome*, and that they themselves must undergo the same fate. In this apprehension, the first expedient that occurred to them was desertion ; and the soldiers of one *Cobort* were so bent upon it, that they straight marched away, and posted themselves near *Anxur* in *Lautula*, which was the name the Romans gave to the narrow pass there, between the sea on one side, and high mountains on the other. To these deserters all those whom the Consul had dismissed, or who were oppressed by debts, resorted ; and, new desertions following close upon the first, the malecontents in a little time increased to a moderate army. But still they were at loss for a leader. To supply this want, they surprised by night in his bed one *T. Quintius* (an eminent soldier, who had retired from publick life to his farm) and forced him to go along with them, and lead them as their General to *Rome*.

The City was so terrified at the approach of these Mutineers, that the Republick had recourse to her usual remedy in great emergencies ; the Consuls named a Dictator. *Valerius Corvus* was the man pitched upon, and he, at the head of an army, met the Rebels eight miles from *Rome*, in the *Appian Way*. The Dictator had always distinguished himself by a tender love for his soldiers ; and these very Mutineers were a part of the victorious army which he had commanded the last year. He endeavoured therefore to bring them back to their duty by gentle methods ; and, advancing into the middle space between the two armies, expostulated with them in the softest terms on their strange and unaccountable behaviour, so contrary not only to the tender regard they owed to their country, but even to the grateful returns which he himself might have expected from them, considering how zealous he had ever been for their interests, and with what condescension and kindness he had always treated them in the highest stations to which he had been promoted, as well as in his private capacity. He told them, that his prayer to the Gods before he left *Rome* had not been to conquer them in battle, but to reconcile them to their country ; and that he was so far from desiring to reduce them by force of arms, that, if they resolved to fight, they must be the first to sound the trumpet for the charge, and must begin the attack too, before he would draw his sword against them. Then addressing himself to *Quintius*, “ Whether it be willingly or by force, *T. Quintius*, that you are engaged on that side, you will do well, in case of a battle, to retire into the hindmost ranks ; it will be less dishonourable for you even to turn your back, and fly before your fellow-citizens, than to fight against your country. But, if it be only

Year of
R O M E
CCCCXI.
Bef. J. C.
Three
hundred
forty-one.
113th
Consul-
ship.
Livy, B.
7. c. 39.

Fast. Ca-
pit.
Livy B. 7.
c. 40.
Auth. of
the Lives
of Illust.
Men.

“ in

Year of ROM E ccccx1. Bef. J. C. Three hundred forty-one. " in order to peace and reconciliation that you appear at the head of your party, you may consistently with your honour and duty continue there to be their interpreter. Speak then, make your demands, ask any conditions that are reasonable, and they shall be granted. Nay, it will be better to grant you even unreasonable terms, than that we should begin a detestable Civil War, and Romans imbrue their hands in Roman blood."

113th Consulship. Livy B. 7. c. 41. Valerius had no sooner ended, than *Quinctius*, turning to the rebels, told them with tears in his eyes, that he could be of no service to their cause, unless in obtaining for them an advantageous peace; and he advised them to put themselves intirely into the hands of the *Dictator*, who had a fatherly affection for them, and leave it to him to manage their interests at Rome. This motion was followed by a shout of approbation; and then the *Dictator*, having given the Mutineers hopes of all reasonable concessions, returned to the City, and obtained from the Senate an Act of Grace, which was afterwards confirmed by the People in *Comitia*. And in the same assembly, and at the request of the Rebels, were passed some new Military Laws, which revenge alone inspired them to demand. Particularly they insisted that the pay of the Cavalry should be reduced; and this because not one single man of that corps had joined them in their revolt. Some authors say, that at this time all usury was abolished in Rome, by a Law made at the motion of *Genucius*, a *Tribune of the People*; and that the Commons passed likewise these other Laws: That no man should have the same office twice within ten years, or possess two different offices in the same year; and that the two *Consuls* might be chosen out of the *Plebeians*. If these articles were obtained at this time, it is evident, that the Rebel army must have been exceedingly formidable. *Livy* tells us, that the historians differ in most of the circumstances of this event.

C H A P. X.

§. I. *Privernum* revolts, but is quickly reduced. The Samnites turn their arms once more against the *Sidicini*, who, being refused succour by the Senate at Rome, give themselves to the *Latines*, already in arms. The Campanians join the *Latines*. An army formed of these three nations enters Samnium. §. II. The Samnites send an embassy to the Republick to complain of her suffering the *Latines* and Campanians to commit hostilities in Samnium. They receive an unsatisfactory answer. (Alexander King of Epirus, uncle of Alexander the Great, comes into Italy, and concludes a treaty of friendship with Rome.) §. III. The *Latines* demand of the Romans as the condition of renewing the alliance between the two nations, That one of the *Consuls* and half of the Senate of Rome be for the future chosen out of the *Latines*. This demand is rejected, and war is declared. §. IV. *Manlius* and *Decius*, the two *Consuls*, have one and the same dream concerning the event of the war. §. V. *Manlius* causes his own son to be beheaded, for a breach of discipline. §. VI. The Romans come to a battle with

with the Latines. Decius, to secure the victory to his troops, devotes himself to death. The Latines are totally routed. Manlius gives them a second overthrow, after which both they and the Campanians submit. §. VII. The next year, T. Æmilius, the Patrician Consul, being directed by the Senate to name a Dictator, names Q. Publilius, his Plebeian Colleague; who obtains some new laws in favour of the Plebeians. §. VIII. The Romans determine the fate of the several conquered cities. The Latines, being Allies, are made Subjects of Rome.

§. I. **T**HUS was tranquillity re-established in Rome; but the confessions shewn to rebels, and the war in which the Republic was engaged with the Samnites, induced some of her neighbours to fall off from her alliance. The Privernates, in the Consulship of C. * Plautius Hipseus and L. Æmilius Mamercinus, made it appear, by their revolt, that the dread of her power was diminished. However, the Consul Plautius, without difficulty, subdued these Enemies: He defeated them in battle, took Privernum, and, though he restored it to the inhabitants, deprived them of two thirds of their Lands, and placed a strong garrison in the town. Thence he marched against the Volsci of Antium, and had a bloody engagement with them near Satricum: A sudden storm put an end to it before victory had declared for either side. It was the purpose of the Romans to renew the fight the next day; but the Antiates having numbered their dead, and being disheartened by the great loss of men they had sustained, retired in the night to Antium, with the same haste as if they had been vanquished in the battle.

Year of
R O M E
ccccxii.
Bef. J. C.
Three
hundred
forty.
114th
Consul-
ship.
Livy B. 7.
c. 42.
A 2d
time.
Livy B. 8.
c. 1.

The other Consul, Æmilius, who led his forces into the country of the Samnites, and laid it waste, met with no opposition: They sued to him for a peace. He referred the Ambassadors to the Senate, of whom they requested two things; peace with Rome, and permission to make war on the Sidicini. Both these requests they obtained; and the Roman army re- c. 2.
turned home, after receiving from the Samnites a year's pay and three months provisions, pursuant to their agreement with the Consul, when he granted them a truce till their ambassadors should come back from Rome.

And now the Samnites turned their forces against the Sidicini. These, after the example of the Campanians in the like distress, had recourse to the Roman Republic for protection, offering to make an absolute surrendry to her of their Country and their Liberty: But the Senate with scorn rejected the offer as made too late, and as the mere effect of extreme necessity: Whereupon the Sidicini immediately gave themselves to the Latines, who, of their own motion, had already taken arms to attack the Samnites. Nor did the Campanians forbear to join the Latines in this war, so much deeper an impression did their minds retain of the injuries they had received from the Samnites, than of the benefits they had received from the Romans.

A considerable army, formed out of these three nations, entered Samnium, laying waste all before them; and in some slight engagements they

Year of R O M E ccccxii. Ref. J. C. Three hundred forty

had the advantage : Nevertheless their commander, who was a *Latine*, not caring to lessen his strength (destined to more important service) by too frequent skirmishes, withdrew his forces very soon out of the enemies country.

§. II. THE retreat of the confederates gave the *Samnites* an opportunity of sending Ambassadors to *Rome* : Who, when admitted by the Senate to an audience, complained of their hard fortune, in that they suffered no less since their alliance with the *Romans*, than they had done when in enmity with them ; and humbly prayed, that the *Romans* would be satisfied with having snatched out of their hands a certain victory over the *Campanians* and *Sidicini*, and not suffer them also to be subdued by those the most base and cowardly People of all *Italy*. They added, *If the Latines and Campanians are subject to you, why do not you forbid them to enter our country in a hostile manner ? If they are rebels, why do not you chastise them ?* These questions puzzled the Senators, unwilling to own that they had no longer any power over the *Latines*, and fearing at the same time to alienate them intirely by a censure on their proceedings. The Consul *Plautius* therefore in the name of the Senate gave this ambiguous answer : *The Campanians are our subjects, and we will force them to desist from troubling you : But, as for the Latines, they are not restrained by our Treaty of Alliance with them from making war against whom they please :* An answer which as it left the *Samnites* in a melancholy uncertainty with relation to the intentions of the Republick, so it wholly alienated the *Campanians* by the menace it contained ; and, as for the *Latines*, they grew so proud upon it, as to imagine they could now demand nothing which the *Romans* would dare to refuse. Under colour of preparing to carry on the war with the *Samnites*, they convened frequent assemblies of their Chiefs, where they formed designs against *Rome*, in all which the *Campanians* took part. The *Roman* Senate, though the confederates used all endeavours to keep their consultations secret, received full information of what was doing ; and, to the end that the Consuls who would have the management of so important a war, might be the sooner in commission, the *Fathers* obliged the present to abdicate before the expiration of their year : And because it was doubtful whether these Consuls quitting their Magistracy before the usual time, could, consistently with true religion, hold the *Comitia* for electing their successors, the government was reduced to an *Inter-regnum*.

§. III. *M. FABIVS* (the second *Inter-rex*) having convened the Centuries, they chose *T. Manlius* * *Torquatus* and *Decius Mus* to be Consuls for the new year ^a. And now, although the *Romans* had no doubt of the defection of their allies, and especially of the *Latines*, yet the *Conscript Fa-*

* A third time.

^a *Livy* tells us (by mistake, as *Dodwell* thinks) that *Alexander* King of *Epirus*, and brother of *Olympias*, mother of *Alexander the Great*, came at this time into *Italy*, and would probably have attacked the *Romans*, had he succeeded in his first enterprises. *Aulus*

Gellius (B. 17. c. 21.) reports that this prince used to say, that the country he proposed to conquer was a country of Men ; whereas the provinces which his nephew *Alexander* went to subdue were inhabited by Women only.

thers cited ten of the chief leaders of the *Latines* to appear at *Rome*, to receive the orders of the Republick. The *Latines* had chosen themselves two *Prætors*, or Presidents of their great Council (who were likewise to be the managers of the war) *L. Annius* and *L. Numicius*, the one a native of *Setia*, the other of *Circeii*, two *Roman* colonies. These men, being especially summoned by name, assembled the Council, acquainted them with the summons, pointed out the heads upon which they presumed their examination would turn, and asked what answer they should make to the *Roman* Senate. The members of the Diet were divided in opinion; upon which *Annius* in a long harangue laid before them their own strength and flourishing condition; the credit they had with their neighbours, so as to be able to engage even the *Roman* colonies in their cause; the present weakness of the Republick, sufficiently discovered in the answer given by the Senate to the *Samnite* Deputies; and in conclusion exhorted the assembly to shake off all dependance upon *Rome*, and even to refuse an alliance with her, unless she would consent, that one of her *Consuls* and the half of her *Senate* should for the future be chosen out of the *Latines*: And he offered to go in person to *Rome*, and make this demand in the presence of the *Senate* and *People*, and even of *Jupiter Capitolinus* himself.

This motion being universally applauded, *Annius* with nine more Ambassadors appeared soon after in presence of the *Conscript Fathers* assembled in the *Capitol*. The *Consul Manlius* spoke first, and in the name of the Senate forbade the *Latines* to make war against the *Samnites*. To this *Annius*, more like a conqueror who had taken the *Capitol* by force of arms, than an Ambassador protected by the law of nations, answered, *That the Romans had chosen an ill time to give their orders in such an arbitrary manner, when the Latines were in nothing inferior to them. That in an union between two nations, where the strength on both sides was equal, the authority likewise should be equally shared*; and then he made the demand before-mentioned: which so highly provoked the *Consul*, a man no less haughty and passionate than the *Latine* *Prætor*, that, not being able to contain his anger, he loudly declared, *That if the Conscript Fathers should ever fall into such a madness, as to receive the law from a Citizen of Setia, he would himself enter the Senate-house sword in hand, and kill every Latine he should find there*. Then turning to the statue of *Jupiter*, he invoked the God to be witness of the pride and ingratitude of the *Latines*. The rest of the Senators joined their exclamations full of disdain to those of the *Consul*; while *Annius*, as some say, in return to their repeated invocations of the Gods, who had been witnesses of the leagues and treaties between the Republick and the *Latines*, raised his voice, and scoffed at the *Roman Jupiter*. Certain it is, that he left the Senate-house in a rage, and retired with such precipitation, that stumbling at the threshold of the door he fell from the top of the steps to the bottom, and for some time lay senseless. *Manlius* coming, by the Senate's order, to dismiss the Ambassadors, and seeing *Annius* prostrate on the ground, loudly broke out into these expressions: *It goes well!—Gods! You begin a holy war!—Yes, There is a Power above! Thou hast a Being, Great Jupiter!*

Year of
R O M E
ccccxiii.
Bef. J. C.
Three
hundred
thirty-
nine
115th
Consul-
ship.
Livy, B.
8. c. 3, 4.

c. 5.

c. 6.

Year of
R O M E
cccxiii.
Bef. J. C.
Three
hundred
thirty-
nine.

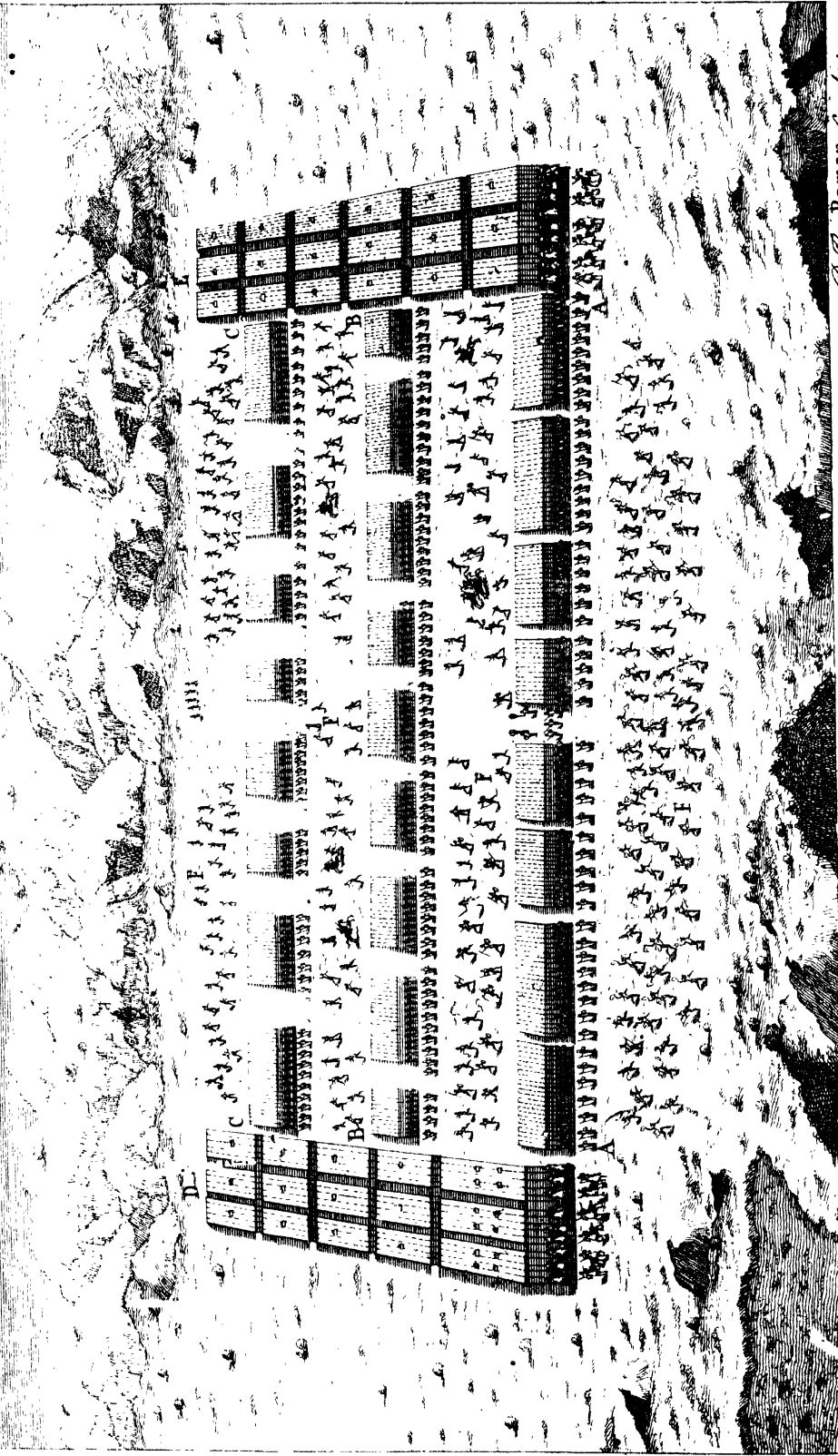
And it is not without reason that we have consecrated this temple to thee, as the father of Gods and Men!—Why, Romans, Why, Conscript Fathers, do we delay one moment to take arms, when we have the Gods for our leaders? I will lay the Legions of the Latines as low, as their Ambassador now lies before you. These words, highly applauded by the People, raised such a spirit in them, that the care of the Magistrates, rather than any regard to the law of Nations, preserved the Ambassadors from being insulted at their departure.

115th
Consul-
ship.

§. IV. THE Senate having passed a decree for a war with the *Latines*, the Consuls raised two armies, marched them through the Countries of the *Marci* and *Peligni*, and, being joined by the *Samnites*, incamped in the neighbourhood of *Capua*, where the forces of the *Latines* and their Confederates were assembled. The night following, *Manlius* and *Decius* are said to have seen, in their sleep, a man of a gigantick stature and majestick look, who told them, *That the victory was decreed to that army of the two, whose General should devote himself to the Dii Manes.* As soon as it was day the Consuls communicated their dreams to each other; expiatory sacrifices were offered to avert the anger of the Gods; and the *Aruspices*, being consulted, pretended to make such discoveries in the entrails of the victims, as confirmed the dreams. Hereupon, the *Lieutenants*, and the *Tribunes of the soldiers*, being called together, the will of the Gods was imparted to them, lest the voluntary death (not known to be such) of a Consul should strike a terror into the army; and it was agreed between the two Consuls, that he, whose troops should first give way, should rush into the midst of the enemy's battalions; and devote himself to certain death, to save his country.

Livy, B. 8.
c. 7.

§. V. IN the same council of war it was determined, that the ancient strict discipline should be observed, and that no officer or soldier should dare to fight with the enemy out of his rank; and this was proclaimed through all the camp; a precaution extremely necessary at this time, when the *Romans* were at war with the *Latines*, with whom they were personally acquainted (having often served together) who spoke the same language, were armed after the same manner, and observed the same way of fighting, and of marshalling their troops. It happened soon after, that young *Manlius*, the Consul's son, being at the head of a detachment of horse, met an advanced squadron of the enemy, whose Commander, knowing him, challenged him to single combat. *Manlius*, piqued in point of honour, and forgetting the late order of the Generals, accepted the challenge, killed his adversary, stript him of his armour, and, loaded with the glorious spoils, came straight to his father's tent: *Father, I have followed your example, and proved myself your son: I was challenged, like you, by an enemy to single combat; I have slain him, and I here lay his spoils at your feet.* The Consul turned his back upon his son, ordered the troops to be assembled, and then in their presence made him this reply: *Since you, Titus Manlius, in contempt of the Consular Dignity and the Authority of a Father, and in contradiction to my express orders, have been so rash as to leave your rank to fight the enemy;*
since



A. The Hastati.
B. D. The Principes.
C. The Triarii.

A Roman Army drawn up in Battalia.

D. The Roman Cavalry.
E. The Cavalry of Gauls.
FFF. Light-armed Soldiers.

since you have destroyed, as far as in you lay, that Military Discipline which has been hitherto the support of the Roman People, and reduced me to the hard necessity of forgetting myself and mine, or the regard I owe to the publick interest, Rome must not suffer the punishment of your fault; we must expiate it ourselves. A sad example shall we be, but a wholesome one to the youth of the Roman Soldiery. As for me, both the innate affection of a Father for a Son, and that specimen which thou, deceived by a vain appearance of honour, hast given of thy valour, move me exceedingly: But since either the Consular Authority must be established by thy death, or quite destroyed by thy impunity, I cannot think, if there be any of the Manlian blood in thee, thou wilt be backward to repair the breach thou hast made in the Military Discipline, by undergoing the punishment due to thy offence. This said, he ordered the *Lictors* to tie him to a stake and strike off his head. All present were stunned at the cruel sentence, as if it had been pronounced against themselves; and, if they continued quiet, it was more out of fear and astonishment than modesty. And no sooner was the young man beheaded and his blood seen to gush out, than, coming to themselves, they vented their anger in imprecations and invectives against the Father: But, as to the son, they covered his dead body with the spoils of the *Latine*, whom he had vanquished, and expressed their affection for him by the most pompous obsequies which they could, in the field, perform to his honour. Extreme and excessive doubtless was this severity of *Manlius*: Nevertheless, it had this good effect, that it made his army wonderfully tractable for the future, and strictly observant of discipline, which proved of great moment in the general engagement with the enemy a few days after.

§. VI. THE Romans on a day of battle drew up their soldiers in three lines, distinguished by the names of the *HASTATI*, the *PRINCIPES*, and the *TRIARII*. Livy B. 8. c. 8.

The *HASTATI*, who composed the first line, had their name from the javelins called *Hastæ* which they bore.

The *PRINCIPES*, who made the second line, were so called because originally they were placed in the front of the battle, and began the attack; and in those times they were generally the richest and the noblest of the Roman youth. They fought with swords. Varro, B. 4. de Ling. Lat.

The *TRIARII* were so named because they made the Third line. They were commonly veterans, or hardy old soldiers, the main strength and hopes of their party. They bore the javelin called *Pilum*, whence they had the name of *Pilani Milites*; and for the same reasons the soldiers of the two lines before them had that of *Antepilani*.

Originally

^a According to *Zonaras*, B. 7. *Manlius* first crowned his son as a Victor.

^b Mr. *Kenner* thinks it probable, that this was before the institution of the *Hastati*.

^c How differently soever the *Hastati*, *Principes*, and *Triarii* might be arm'd in these

times, they afterwards bore much the same arms; and therefore *Polybius* has not divided them in his description, but speaks of them all together.

In *Polybius's* time, a Legion of 4000 men had 600 *Triarii*, 1200 *Principes*, and as many *Hastati*;

Year of
R O M E
ccccxiii.
Bef. J. C.
Three
hundred
thirty-
nine.

115 Con-
fulship.

Originally each of these three lines was intire, there were no breaks or intervals between the *Manipuli* or companies that composed it; nor were there any void spaces left behind the lines, so that the whole body of infantry was close and compact, like the *Macedonian Phalanx*.

But,

Hastati; the rest were *VELITES*. If the *Legion* happened to be more numerous, each of the three last corps was increased in proportion, but the *TRIarii* never exceeded 600.

The *VELITES* were commonly young men of mean condition; they had their name à *Volando*, or à *Velocitate*, from their swiftness or expedition. They hovered in loose order before the army. Their arms were

The *Spanish Sword*, which the *Romans* thought of the best shape and temper, and fittest for execution, being something like the *Parthian Scymiter*, but more sharp at the point. The soldiers wore it on their right side.

Hastæ, or light and slender javelins. Each man had seven.

Parma, a kind of round buckler 3 feet in diameter, of wood covered with leather.

Galeus, a light casque for their head, generally made of the skin of some wild beast.

The arms of the *HASTATI*, *PRINCIPIES*, and *TRIarii* (beside the sword above-mentioned) were the *Scutum*, the *Pilum*, the *Galea*, and the *Lorica*.

The *Scutum* was a buckler of wood, the parts being joined together with little plates of iron, and the whole covered with a bull's hide. An iron plate went about it without to keep off blows, and another within to hinder it from taking any damage by lying on the ground. In the middle was an iron Boss or *Umbo* jutting out, very serviceable to glance off stones and darts, and sometimes to press violently upon the enemy, and drive all before them. They are to be distinguished from the *Clypeus*, which were less, and quite round, belonging more properly to other nations, tho' for some little time used by the *Romans*. The *Scuta* themselves were of two kinds; the *Ovata* and the *Imbricata*; the former is a plain oval figure, the other oblong, and bending inward like half a cylinder. *Polybius* makes the *Scuta* four feet long, and *Plutarch* * calls them *ποδὶσις*, reaching down to the feet. And it is very probable

that they covered almost the whole body, since in *Livy* † we meet with soldiers who stood on the guard, sometimes sleeping with their head on their shield, having fixed the other part of it on the earth.

The *Pilum* was a missive weapon, which in a charge they darted at the enemy. It was commonly four-square, but sometimes round, composed of a piece of wood about three cubits long, and a slip of iron of the same length, hooked and jagged at the end. They took abundance of care in joining the two parts together, and did it so artfully that it would sooner break in the iron itself than in the joint. Every man had two of these *Pila*; and this number the Poets allude to:

Bina manu lato crispans hastilia ferro.

VIRG. Æn. i. 317.

*Quæ duo sola manu gestans acclivis monti
Fixerat, intorquet jacula——*

STATIUS, Theb. 2.

C. † *Marius* in the *Cimbrian* war contrived these *Pila* after a new fashion; for before, where the wood was joined to the iron, it was made fast with two iron pins; now *Marius* let one of them alone as it was, and pulling out the other, put a weak wooden peg in its place; contriving it so, that, when it was stuck in the enemy's shield, it should not stand out-right as formerly; but, the wooden peg breaking, the iron should bend, and so the javelin sticking fast by its crooked point should weigh down the shield.

The *Galea* was a Head-piece, or Morion, coming down to the shoulders, commonly of brass.

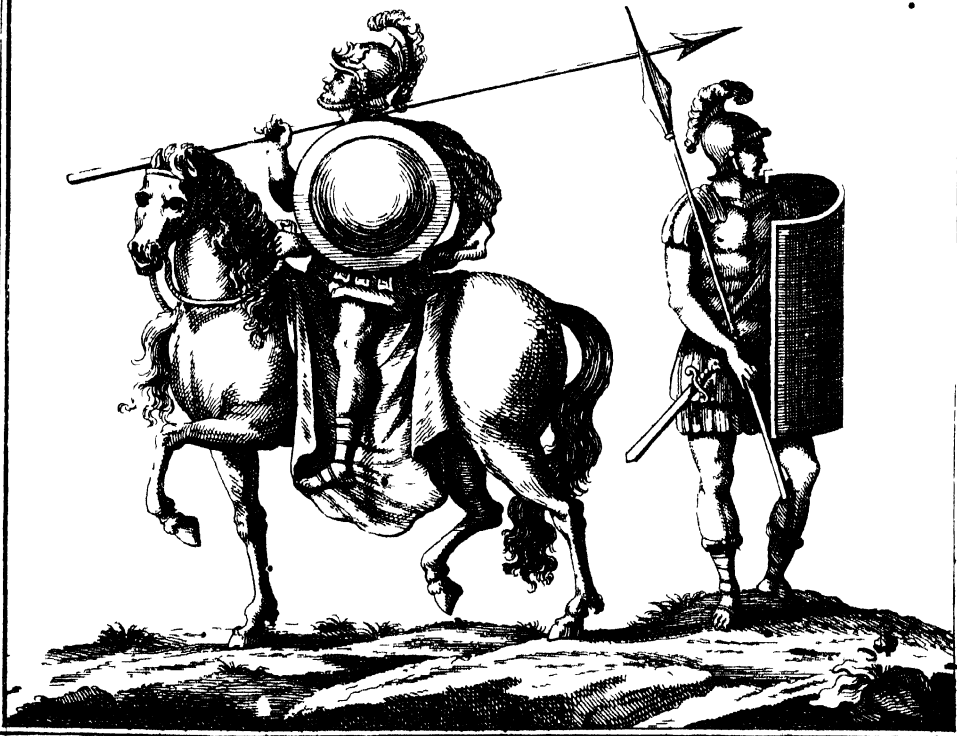
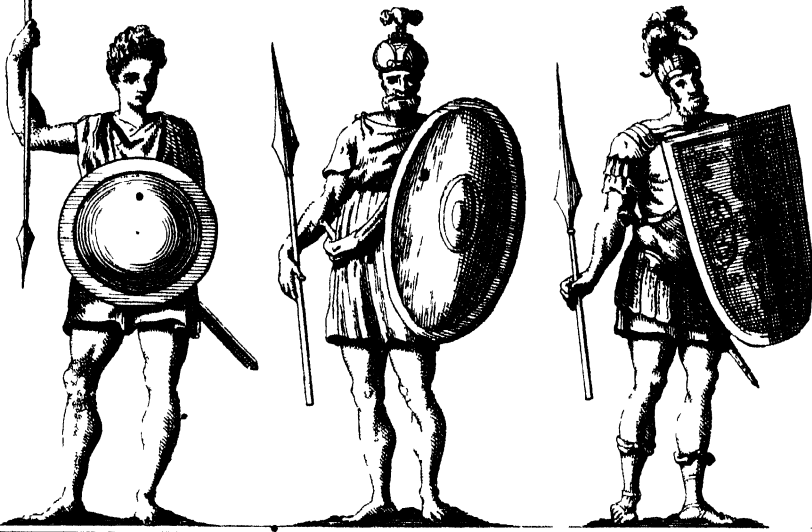
The *Lorica* was a Brigandine, or Coat of Mail, generally made of leather, and worked over with little hooks of iron, and sometimes adorned with small scales of thin gold; as we find in *Virgil*:

Loricam confertam hamis. Æn. iii. 467.

And,

Nec duplici squamâ lorica fidelis et auro.

Æn. ix. 707.



The different sorts of Roman Bucklers.

But, at the time of this war of the *Romans* with the *Latines*, the method of marshalling the troops was different.

Between the first and second lines was a space of fifty feet; and the *TRIarii* were drawn up at the distance of an hundred feet behind the *PRINCIPES*.

And, as spaces were left between the lines, so likewise between the *MANIPULI*, or companies of each line. But these openings were not so disposed, as to yield a direct passage to the enemy from the front of the army to the rear. The *Manipuli* of the second line stood behind the openings of the first, and the *Manipuli* of the third behind those of the second, so that the order of the whole resembled that of a *Quincunx*.

When the *HASTATI* happened to be overpowered, they retired softly towards the *PRINCIPES*, fell into the intervals of their ranks, and together with them renewed the fight. But, if the *PRINCIPES* and the *HASTATI* thus joined were too weak to sustain the fury of the battle, they all fell back into the wider intervals of the *TRIarii*; and then, all together being united into a firm mass, they made another effort much more impetuous than any before: If this assault proved ineffectual, the day was intirely lost as to the Foot, there being no farther reserves.

Livy speaks of the *RORarii* and the *ACCENSI*, as two corps of troops that were a kind of supernumeraries to the *TRIarii*, but not soldiers equal to them for strength or courage.

In the middle of the space between the *PRINCIPES* and the *TRIarii*, where stood the *Roman* Eagles, the Consuls and Lieutenant Generals took their posts. Behind the Generals, the *TRIarii* (while the *Hastati* and *Principes* were fighting) kept firm with their right knees on the ground,

Sometimes the *Loricæ* were a sort of Linen Cassocks, such as *Suetonius* attributes to *Galba*, and like that of *Alexander* in *Plutarch*; or those of the *Spanish* troops described by *Polybius* in his account of the battle of *Cannæ*.

The poorer soldiers who were rated under a thousand Drachms, instead of this Brigandine, wore a *Pectorale* or breast-plate of thin brass about twelve fingers square; and this, with what have been already described, rendered them completely armed; unless we add the *Ocreæ*, or Greaves, which they wore on their legs; which perhaps they borrowed (as many other customs) from the *Grecians*, so well known by the title of—*ἐνυπνίδες Ἀχαιοί*.

In the elder times of the *Romans*, their horse used only a round shield, with a helmet on their head, and a couple of javelins in their hands, great part of their body being left without defence. But, as soon as they found the great inconveniencies to which they were hereby exposed, they began to arm themselves like the *Grecian* Horse, or

much like their own Foot, only their shield was a little shorter and squarer, and their lance or javelin thicker, with spikes at each end, that, if one miscarried, the other might be serviceable. *Kenn. Antiq. P. II. B. IV. Ch. IX.*

* The stratagem of rallying thus by means of these openings in the lines, has been reckoned almost the whole art and secret of the *Roman* discipline, and it was almost impossible it should prove unsuccessful, if duly observed: For fortune, in every engagement, must have failed them three several times, before they could be routed; and the enemy must have had the strength and resolution to overcome them in three several encounters for the decision of one battle; whereas most other nations, and even the *Grecians* themselves, drawing up their whole army as it were in one front, trusted themselves and their fortunes to the success of a single charge. *Kennet's Antiq. Part II. Book IV. Ch. X.*

Year of
R O M E
ccccxiii.
Bef. J. C.
Three
hundred
thirty-
nine.
115th
Consul-
ship.
Julius
Lipius de
Mil. Rom.
B. 4. c. 1.

Year of their great bucklers on their shoulders, and resting themselves on their
 R O M E spears, which, pointing upwards, formed a kind of Palisade before
 ccccxlii. them.

Bef. J. C.

Three

hundred

forty-

nine.

115th

Consul-

ship.

Livy, B.

8. c. o.

As for the *Roman* Cavalry, they were always posted at the two corners of the army, like wings on a body, and fought sometimes on foot and sometimes on horseback, like our Dragoons. At this time there were but 300 to a Legion of 5000 Foot. Of four such Legions and 1200 Horse the present army consisted.

The Consuls *Manlius* and *Decius*, before they drew their troops out of the camp, offered sacrifices to the Gods. It is said that the *Aruspex* shewed to *Decius* the liver of his victim wounded in the friendly * side (a bad omen for him;) but declared that the beast had no other mark of being unacceptable to the Gods; and that, as to *Manlius's* victim, the signs were as favourable as could be wished. 'Tis enough, said *Decius*; all is well, if my Colleague has engaged the Gods to be propitious to him.

When the day of battle came, *Manlius* commanded the right wing, *Decius* the left. It was fought on both sides at first with equal strength and courage; but at length the *Roman Hastati* of the left wing were forced to give ground, and retire into the intervals of the *Principes*. This disadvantage put *Decius* in mind of his agreement with his Colleague on occasion of their dreams. He called out therefore to *Valerius* the *Pontifex Maximus*, to perform on him the ceremony of Consecration, in order to his Devotement to death to save his Legions. *Valerius* bad him put on his *Prætexta* ^b, cover his head, put forth his hand under his robe to his chin, and then standing with both his feet upon his javelin repeat after him the following words: "O *Janus*, *Jupiter*, Father *Mars*, *Quirinus*,
 * Indige- " *Bellona*; O ye *Lares*, ye *Novensiles* ^c, ye Deified * Heroes, ye Gods who
 tes. " have power over us and our enemies, ye Gods of Hell, I honour you,
 " invoke you, and humbly intreat you to prosper the arms of the *Roman*
 " People, and to strike their enemies with terror, affright, and death; and
 " I do for the safety of the *Roman* People and their Legions devote myself,
 " and, with myself, the Legions and Auxiliaries of our enemies, to the
 " Infernal Gods and the Goddesses of the Earth."

Having made this prayer, he ordered his *Lictors* to go in all haste, and tell his Colleague *Manlius*, that he had devoted himself for the safety of the *Roman* army. Then tucking up his robe, and girding it about him, he mounted his horse and rode full speed into the thickest of the enemies battalions. *Livy* says, that he appeared to them more than human, and that, at the sight of him, they seemed as if they were planet-struck; and that he was no sooner fallen to the ground with numberless wounds, than the *La-*

* *A familiari parte*. The other was the to Rome by the Sabines; viz. *Lara*, *Vesta*,
 Enemy's side of the liver, where their Doom. *Minerva*, *Feronia*, *Concord*, *Good Faith*,
 was to be read. *Fortune*, *Chance*, *Health*. Some take them

^b White Robe, bordered with purple.

* Nine Deities, according to *Varro*, brought

to be the nine Muses. C. & R.

tine Cohorts all around him dispersed themselves * and fled. As for the *Hastati* and *Principes* of the *Roman* left wing, they instantly renewed the charge like men who had just received the signal to begin to fight; and they were strengthened by the *Rorarii* from the rear; the *Triarii*, with their right knees on the ground, still keeping their post.

Year of
ROM E
ccccxiii.
Bef. J. C.
Three
hundred
thirty-
ning.

115th
Consul-
ship.
Livy, B.
8. 9. 10.

The battle continued, and the *Latines*, superior in number, had the better in other parts of the field, when the news was brought to *Manlius* of his Colleague's death. Having let fall some tears, and given him the praises due, he remained a short moment in doubt, whether he should then give the signal for the *Triarii* to rise; but, judging it more prudent to reserve them for the finishing blow, he commanded the *Accensi*^b from the rear to the van. The enemy, taking these fresh troops to be the *Roman Triarii*, instantly ordered their own *Triarii* to the charge; and this proved the loss of the battle to the *Latines*: For when they had wearied themselves, and broken or blunted their weapons in repulsing the *Romans* once more, and when, after they had repulsed what they fancied to be the last reserve of their enemies, they thought themselves sure of the victory, the *Roman Triarii* by order of *Manlius* appeared on a sudden, as if they had started out of the ground. Their arms were shining and their strength intire. Having received the *Hastati* and *Principes* into the intervals of their ranks, they first gave a shout that dismayed the enemy, and then fell upon them with such fury, and made so terrible a slaughter, that scarce a fourth part of the army escaped.

This battle was fought not far from mount *Vesuvius*. During the action the *Samnites*, drawn up in *Battalia*, at the foot of that Mountain, served to keep the *Latines* in fear: Or perhaps (as some writers reported) they came to the assistance of the *Romans*, after the conflict was over. *Manlius* acquired great honour by his conduct in this important day; both *Latines* and *Romans* agreeing afterwards in opinion, that whichever army he had commanded must have been victorious.

Those of the *Latines* who escaped the slaughter, and were scattered about the country, collected themselves soon after into one body, and took shelter at *Vescia*, near the *Liris*. Here *Numicius* their General exhorted and encouraged them to try the fortune of arms once more with the *Romans*; and his motion was approved. In order to get an augmentation of his troops, he artfully caused letters to be spread about in *Latium*, and the country of the *Volsi*, representing the flight of the *Latines* as only an

* *Cicero* (B. 3. de Nat. Deor.) derides that superstitious credulity, which ascribed such wonderful effects to these *Devotements*. He could not conceive, how men of sense could form to themselves any such beings as mischievous Gods, who thirsted after human blood. So that he looked on these voluntary *Devotements* as no more at bottom than heroic acts of valour, or the last efforts of

Generals, who, when their troops were disheartened and broken, threw themselves into the midst of the enemy's battalions, in order to engage their soldiers to follow them. C. & R.

^b Father *Rouilli* on this occasion speaks of the *Accensi*, as light-armed soldiers, who fought with slings; but, if so, how could the *Latines* mistake them for the *Roman Triarii*?

Year of R O M E ccccxiii. Bef. J. C. Three hundred thirty-nine. 115th Consulship. Year of honourable retreat, and by this means he drew to his camp many, who had not assisted at the late action; and, having thus hastily formed a new army, he marched immediately away, taking the road to *Capua*. *Manlius*, informed of the enemy's motions, met them in their march, gave them another overthrow, and then entered *Latium* to lay it waste. He met with no resistance; the *Latine* towns surrendered at discretion, as did *Privernum* in the territory of the *Volsci*. *Campania* was likewise totally brought into subjection. The *Consul* dispossessed the *Campanians*, *Latines*, and *Præcrnates* of their estates, and distributed them among the Commons of *Rome*. However, the *Latines* and *Campanians* were not all deprived of their estates without distinction. The *Laurentini* in *Latium*, and the *Campanian* Knights to the number of sixteen hundred, had not been concerned in the revolt; and they were therefore continued in their possessions and privileges; Nay, the latter were made *Citizens* of *Rome*, but without right of suffrage; and an annual pension of 450 * *Denarii* was assigned to each of them out of the publick revenues of *Campania*.

Fast. Capit. Livy, B. 8. c. 12. *Manlius* had deserved the honours of a Triumph, and doubtless he obtained them (though *Livy* says nothing of it.) But he could not recover the good-will of the *Roman* youth; they bore him an implacable hatred for his severity, none but the old men went out to meet him at his return to *Rome*. Soon after, he fell sick; and, as a *Roman* General was wanted in the field to oppose some fresh incursions of the *Antiates*, he named to the Dictatorship *L. Papirius Crassus*, who appointed *L. Papirius Cursor* to be his Master of the Horse. The Dictator kept his troops some months in the field at free quarter, and then returned to the city to preside at the election of new *Consuls*.

Year of R O M E ccccxiv. Bef. J. C. Three hundred thirty-eight. 116th Consulship. Ibid. §. VII. IT had been customary, for some time past, to observe the law which directed to chuse one of the two *Consuls* out of the *Plebeians*; and now *Q. Publilius*, a *Plebeian*, was joined with *Tib. Æmilius*, a *Patrician*, in the Government. The former proving successful in an expedition against a body of *Latines* (rebellling on account of their lands being taken from them) obtained the honours of a Triumph. Upon which, *Æmilius*, jealous of his Colleague's glory, demanded the same honours, as the reward for some advantage he had gained over another body of *Latines* assembled at *Pedum*, though he had not finished his expedition; but the *Conscript Fathers* absolutely refused his request, till he should take that place either by surrendry or assault; a refusal so highly resented by *Æmilius*, that never did any *Tribune of the Commons* inveigh more bitterly against the Nobility, than the *Patrician Consul* did on this occasion. The subject of his harangues was the unequal distribution the Senate had made of the Lands in *Latium*; and he began to raise a disturbance. The Senate, to put an end to it, ordered him to name a Dictator, under pretence of carrying on the war more vigorously against the *Latines*. *Æmilius* obeyed, but at the same time revenged himself on the *Conscript Fathers*, by nominating

his Plebeian Collegue *Publius*, who appointed *Brutus Scaeva*, another Plebeian, to be his General of the Horse. The Dictator, being a man intirely devoted to the Commons, immediately seized this favourable opportunity to establish their rights, and even to extend their privileges. And these things he effected by three Laws which he passed, 1. *That the Decrees, made by the Commons at the request of their Tribunes, should be observed by all the Romans* [the Quirites^a.] 2. *That, for the future, the laws which were to be passed by the Centuries should be authorized^b by the Senate before they were put to the vote in the Comitia*; whereas hitherto the Comitia Centuriata had used to pass the laws first, and the Senate to accept or reject them as they pleased. 3. *That one of the Censors should always for the future be a Plebeian.*

Year of
R O M E
ccccxiv.
Bel. J. C.
Three
hundred
thirty-
eight.
110th
Consul-
ship.

The Senate, much mortified at this downfall of the Patricians, resolved to revenge themselves on *Æmilius*; and, knowing him to be very tender of his honour, attacked him on that side. To shew the Romans how negligently he had conducted himself in the discharge of the commission he had received to finish the Latine war, they ordered the new Consuls, *L. Furias Camillus*, grandson of the Great Camillus, and *C. Menius*, a Plebeian, to undertake the same enterprise, and to lay siege to *Pedum*. And, that the Generals might not be foiled in the attempt, they plentifully furnished them with men, provisions, arms, and proper engines. Upon the report of *Camillus's* march to besiege *Pedum*, the forces of *Tybur*, *Præneste*, *Aricia*, *Lanuvium*, *Veitra*, and *Antium* hastened to relieve the place; but these troops were defeated, and *Camillus* the same day took the town by assault. The Consuls having finished the war, and totally subdued *Latinium*, returned to *Rome*, where they not only had the honours of a Triumph, but, by order of the Republick, two *Equesrian* statues erected for them in the Forum.

Livy, B.
8. c. 13.
Year of
R O M E
ccccxv.
Bel. J. C.
Three
hundred
thirty-
seven.
117th
Consul-
ship.

And now the great affair in the Senate was, to determine the fate of the conquered. *Camillus*, in his harangue upon this occasion, told the Fathers, that the success of their arms against the Latines had been such, that it now depended on their pleasure whether LATIUM should be any more; but that it deserved their consideration, whether it would not be of greater advantage to the Republick to shew mercy to the conquered, and admit them to the privileges of Roman Citizens, thereby increasing the number of her subjects, than utterly to exterminate them, and reduce their country to a desert. The Consul declared himself for the first, and the Conscrip^t Fathers in general were inclined to clemency: But, as some of the Latin Cities had been more criminal than others, they made a distinction in their treatment of them. *Lanuvium*, *Aricia*, *Nomentum*, and *Pedum*, were made Roman^c Municipia; their foldiers were to be incorporated in the Legions, and

Livy, B.
8. c. 14.

^a Ut Plebiscita omnes Quirites tenerent. This Law seems to be of the same import with that passed by *Horatius* and *Valerius* in 304, the year after the Decemvirate.

^b Ut legum quæ Comitibus Centuriatis fer-

rentur, ante initum suffragium patres auctores fierent.

^c The privileges granted by the Romans to the Municipal Towns were more or less, according to the services they had done the Republick.

Year of
R O M E
ccccxv.
Bef. J. C.
Three
hundred
thirty-
seven.
117th
Consul-
ship.
* Flor. B.
1. c. 11.

and to be no longer upon the foot of *Auxiliaries*. *Tusculum* had had the same privilege before, and it was now confirmed. But *Velitrae* was razed, and its Senate and inhabitants banished to another city, beyond the *Tiber*, because it had often rebelled since it was made a *Roman Colony* (in the year 261.) *Antium* was not destroyed; the *Antiates* were granted the freedom of *Roman Citizens*; but they were forbidden the sea; and their fleet, consisting of six * Gallies, was partly burnt, and partly carried away into the *Roman* ports. With the brass *Beaks* [*Rostra*] of these vessels the *Consul Menius* adorned the Pulpit from whence the *Roman* Magistrates harangued the People, and hence it was ever after called the *Rostra*. The inhabitants of *Tybur* and *Præneste* were deprived of all their lands, for having formerly assisted the *Gauls*; and, lastly, all the *Latines* in general were forbidden to assemble their Diets as formerly; to marry out of their respective cities; or to have common markets or fairs for trade.

As for *Cumæ* and *Suessula*, and the other cities of *Campania*, they were treated as *Capua* had been, i. e. their lands were all taken from them and divided among the *Romans*. Thus a three years war was ended in the subduing of two fine countries to the Republick; and the *Latines*, from being the *Allies* of *Rome*, became her *Subjects*.

Republick. The Citizens of some *Municipia* had only the Title of *Roman* Citizens. Others enjoyed all the privileges properly belonging to that title. They

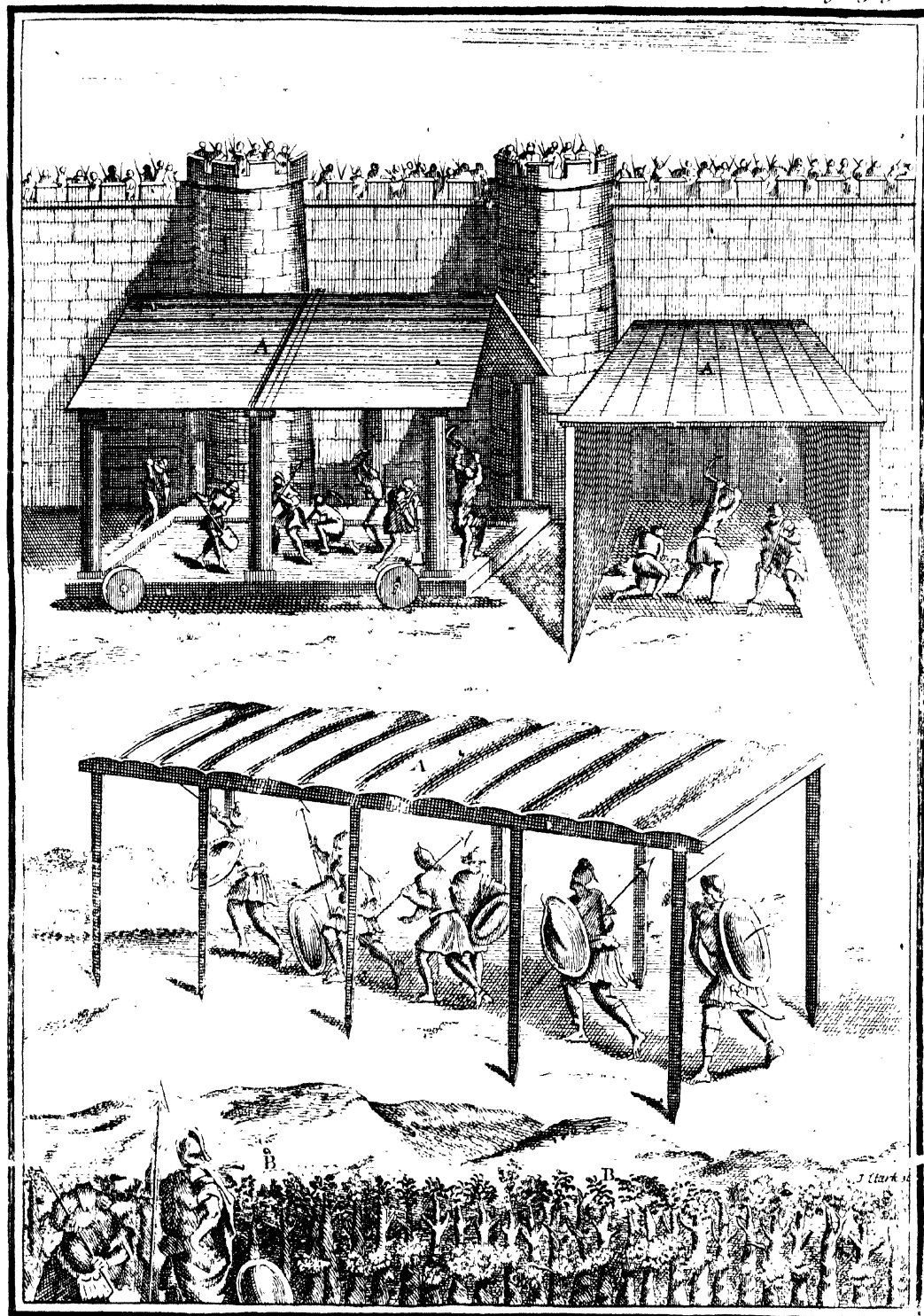
were enrolled in the Tribes, had a right of suffrage, could stand candidates for offices, and served in the army upon the foot of Legionaries.

C H A P. XI.

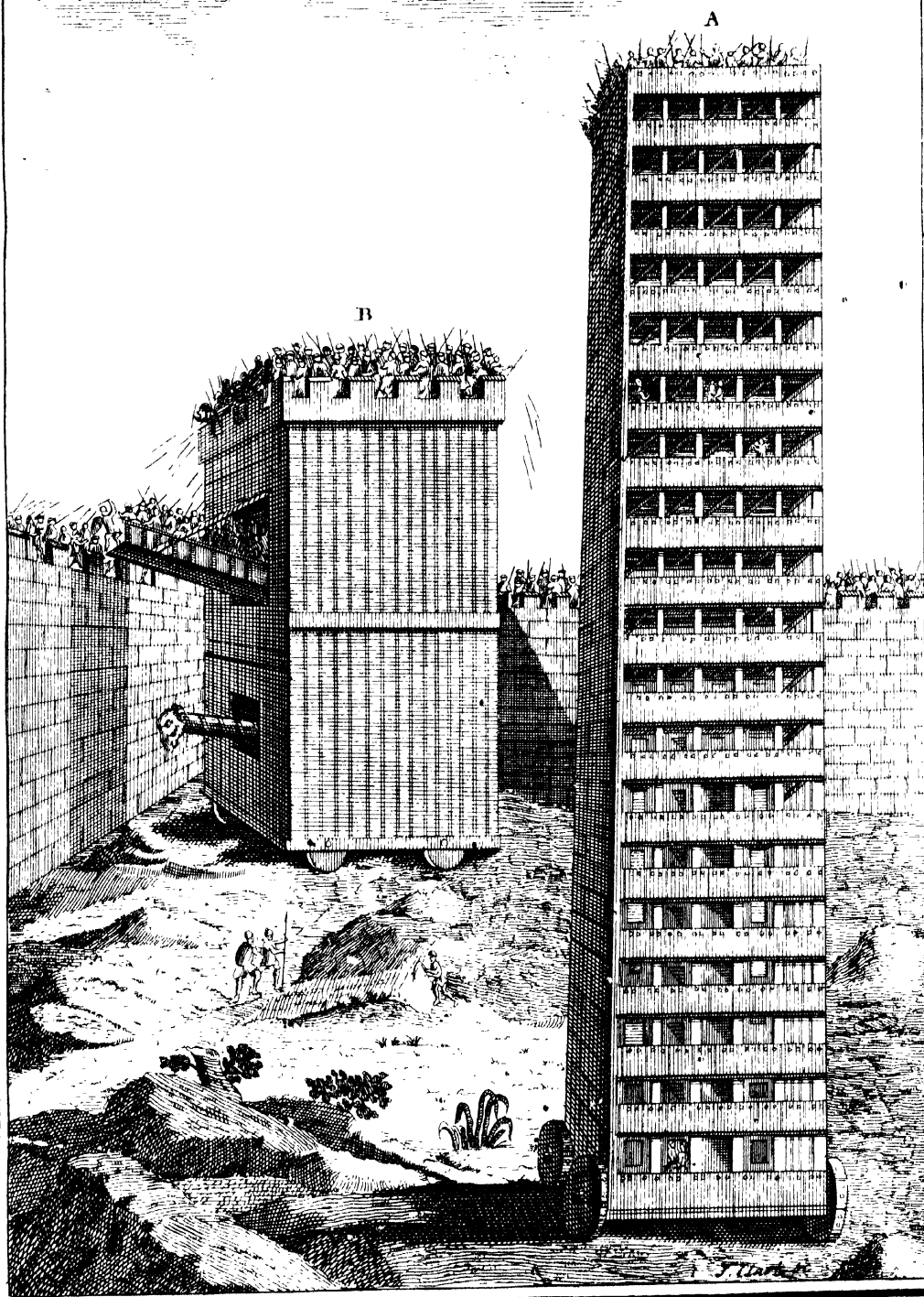
§. I. *PUBLILIUS*, though a *Plébeian*, obtains the *PRÆTORSHIP*; so that all the great Dignities in the State, except those of the Priesthood, are now common to the two Orders.

From this year 416, to the year 425, the most memorable events are The invention of Moveable Towers and Covered Galleries, by the Consul *M. Valerius Corvus* (in the year 418) at the siege of *Cales*, the chief City of the *Aulones*, allies of the *Sidicini*. The Republick's changing the custom of raising a new army upon every change of Consuls. The reduction of the *Sidicini* (probably in 420.) The addition of two new Tribes (in 421) to the 27 old ones. A plot formed (in 422) by some hundreds of *Roman Women* to poison their Husbands. The revolt of *Privernum* (in 423.) The reduction of that City (in 424,) and the courageous and noble answer given by one of the Citizens, when questioned by the *Roman Senate* concerning the conduct which the *Privernates* would observe for the future.

§. I. *R O M E* had never been in a better condition to attempt the Conquest of all *Italy* than now, when those warm contentions for power at home, which had often retarded the progress of the *Roman* arms abroad,

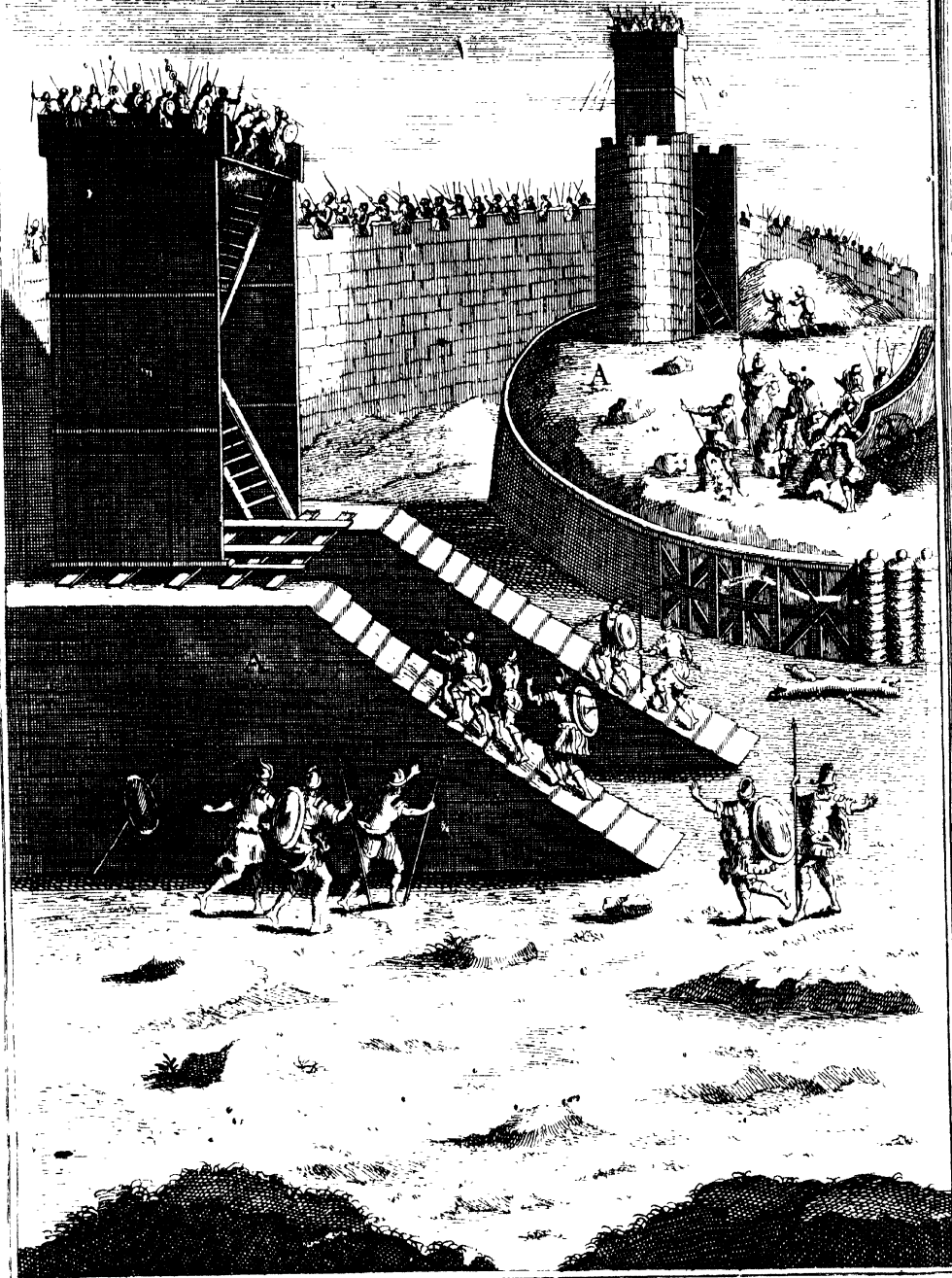


A. Different Sorts of Covered Galleries.
B. Vine for covering Besiegers.



A. A Tower of twenty Stories.

B. A Tower with a Draw-Bridge.



abroad, were at an end. The *Plebeians* shared almost all the great offices in the State with the *Patricians*; the *Consulship*, *Quæstorship*, *Ædileship*, and *Censorship*: they were excluded only from the *Prætorship* and the *Sacerdotal Dignities*. And in the following year, when *C. Sulpicius Longus* and *P. Ælius Pætus* were in possession of the *Fasces*, *Publius*, a *Plebeian*, stood candidate for the *Prætorship*, and obtained it. The *Consul Sulpicius* had refused to admit his name among those of the other candidates; but the Senate were easy in the matter, thinking it perhaps unreasonable and absurd, that a *Plebeian*, who had been *Consul* and *Dictator*, should merely on account of his birth be excluded from the *Prætorship*. And thus the *Plebeians* being arrived at the height of their desires, (for they did not yet pretend to the *Pontificate* and *Augurate*) all pretences for faction were entirely taken away. Real, personal merit, not high birth, not the merit of mens ancestors, was now chiefly regarded in the distribution of honours: So that this period of time may more properly, than any of the former, be called *The Age of ROMAN VIRTUE*.

The Republick, through the indolence of her present *Consuls*, neglected to revenge the *Aurunci* on their enemies the *Sidicini*, who this year had invaded their country, and made themselves masters of their principal City. The *Aurunci* had submitted to the *Romans* in the Consulship of *Manlius Torquatus*, and had continued faithful amidst all the confusions of the *Latine* war. They well deserved therefore to be succoured; and accordingly the *Consuls* of the new year, *L. Papirius* and *Cæso Duilius*, were now ordered to lead an army to their assistance; and, though the *Aufones* joined their neighbours the *Sidicini*, these united forces were easily put to the rout. They fled for shelter behind the walls of their Cities; and the *Consuls* returned to *Rome*, without reaping much glory from the campaign.

But in the following Consulship of *M. Valerius Corvus* (now raised to that dignity a fourth time) and *M. Atilius Regulus*, the former (to whom his Colleague, at the request of the Senate, had yielded the command of the army without drawing lots) laid siege to *Cales*, the chief city of the *Aufones*. He invented *Covered Galleries* and *Moveable Towers* for screening his men, and carrying on the attacks, and at length took the place by assault.

After this the two *Consuls*, having first nominated a *Dictator* to preside at the ensuing elections, joined their forces, and marched against the *Sidicini*; but, notwithstanding that they used all expedition to finish their conquest before the expiration of their year, they were forced to leave the completion of it to their successors, *T. Veturius Calvinus* and *Sp. Posthumius Albinus*. As soon as these new Magistrates were named, and before they entered on their office, they, to make themselves acceptable to the Commons, solicited and obtained a decree for settling a *Colony* of *Roman Citizens* at *Cales*, and dividing the district of that City among them; and, that the distribution of the lands might be made the more equally, the Senate chose out

Year of
R O M E
ccccxvi.
Bef. J. C.
Three
hundred
thirty-six
118th
Consul-
ship.
Livy, B. 8.
c. 15.

Year of
R O M E
ccccxvii.
Bef. J. C.
Three
hundred
thirty-five.
119th
Consul-
ship.
Livy, B.
8. c. 16.

Year of
R O M E
ccccxviii.
Bef. J. C.
Three
hundred-
thirty-four.

120th
Consul-
ship.
Fast. Ca-
pit.

Year of
R O M E
ccccxix.
Bef. J. C.
Three
hundred,
thirty-three.

— —
121st
Consul-
ship.

Year of three persons of known equity to conduct and settle the *Colony*, consisting
R O M E of two thousand five hundred men.

ccccxix. The *Romans* seem at this time to have quite abolished that custom
Ref. J. C. they formerly had, of raising a new army upon every change of chief
Three Magistrates. An army raised by one General now passed from him to
hundred his successor, and so on till the end of the war. Accordingly *Veturius*
thirty- and *Pesturnius* put themselves at the head of the troops which *Corvus* had
thrice. commanded, and entered the country of the *Sidicini*; who, to avoid a
121H battle, suffered their territory to be laid waste, and appeared no more in
Consul- the field. Nevertheless, a report was spread at *Rome*, after the return of
Ship the Consuls, that the *Sidicini* had once more assembled a formidable army,
Liv. B. and were joined by the *Samnites*, which caused so great an alarm, that the
2. c. 67. Consuls, by order of the Senate, named a *Dictator*, as in a time of im-
minent danger. Their choice fell upon *P. Cornelius Rufinus*. This supreme
Magistrate however soon abdicated, upon some pretended defect in his
inauguration. Nay, superstition prevailed so far at this time, that be-
cause a plague raged at *Rome*, and because the College of *Augurs* declared,
that all the *Auspices* of the year had been infected by the contagious air,
the chief Magistrates were all displaced, and the Republick fell into an
Inter-regnum.

Year of Livy says nothing of what happened in the year 420, when *L. Papirius*
R O M E *Curior* and *C. Porcelius Libo Vitolus* were Consuls, according to the Fasti
ccccxx. Capitolini. It was very probably a year barren of events, unless the *Si-*
Ref. J. C. *dicini* were then subdued, which is not unlikely, since we find no other
Three epoch of their reduction.

In the succeeding Consulship of *A. * Cornelius* and *Cn. Domitius*, a rumour
that those terrible enemies, the *Gauls*, were preparing for a war with the
122d Republick, occasioned the sudden nomination of *M. Papirius Crassus* to be
Consul- *Dictator*; but, while he was levying troops to oppose their attempts, more
Ship certain accounts came that all was quiet on that side. Some suspicion of
Year of the *Samnites* at this time prevailing, the Dictator would not withdraw from
R O M E the country of the *Sidicini* a Roman army that was there incamped. The
ccccxxi. *Samnites* were indeed raising troops, but it was to defend *Italy* against
Ref. J. C. *Alexander* King of *Epirus*, who under pretence of succouring the *Taren-*
Three *tines* (then at war with the *Lucanians* and *Bruttians*) had made a descent
hundred at *Pastum*, and began to grow formidable to all the eastern parts of *Italy*.
thirty- What suspended the progress of his arms is unknown; but, after some
one. small advantages obtained against the enemies of the *Tarentines*, he made a
123d Treaty with the *Romans*.

The late addition of so many new *Citizens* as *Rome* had received, since the
* A 2d reduction of the *Latines*, made it necessary to take a new *Census*, and to
time. increase the number of the *Tribes*. To the twenty-seven, already in being,
Liv. B. were added the *Mecian* and *Scaptian*; [the first near *Lenuvium*, the second
2. c. 17. between *Tybur* and *Prænest*.]
Justin, B.
12. c. 2.
Livy, B.
2. c. 17.

But in the midst of this repose from foreign alarms, and in the beginning of the new *Consulship* of *M. Claudius Marcellus* and *C. Valerius Potitus*, there sprung up in the bosom of the Republick a new kind of monsters, more terrible than any army of invaders from abroad. Some women of distinction, to the number of 170, according to some, or 360, according to others, formed a plot to poison their husbands, and took the opportunity of an epidemical distemper to put their design in execution. Their wickedness being discovered to *Fabius*, one of the *Curule Aediles*, by a slave of one of the Ladies, and their persons being seized, two of the prisoners, *Sergia* and *Cornelia*, both *Patrician* women, were brought before the assembly of the People. Being there examined, they denied that in the medicines which they had prepared, and which had been found with them, there were any poisonous ingredients. The slave, to verify her accusation, proposed, that the two Ladies should take their own potions; and the experiment was immediately ordered to be made. Upon this, *Cornelia* and *Sergia* desired to confer with their accomplices, which being granted, they all by agreement drank their own poison, and so delivered themselves from a more lingering death. The Republick ascribed this unheard-of prodigy to a spirit of madness, sent as a punishment from the angry Gods; to appease whom they nominated a *Dictator*, to drive a Nail into the Wall of the Temple of *Jupiter Capitolinus*.

This transient *Dictatorship* quickly gave way to the *Consulship* of *I. Papirius * Crassus* and *L. Plautius Verno*. In the beginning of their administration, a deputation came to *Rome* from the *Poluscans* and the inhabitants of *Fabritia* (both in the territory of the *Volsce*) to demand protection against the *Samnites*, by whom they were threatened with an irruption. The Senate did not reject their petition, but sent Ambassadors to desire the *Samnites* to put a stop to their hostilities against those two nations. The *Samnites* complied, and then the Republick immediately turned her arms against the *Privernates*. These rebels, in conjunction with some of the inhabitants of *Fundi*, were headed by *Vitruvius Vaccus*, originally of that town, which after the *Latine* war had been admitted to the rights of *Roman Citizenship*. *Vitruvius* had made himself an inhabitant of *Rome*, and had enjoyed all the privileges of a Citizen born there, but through the mere vanity of commanding an army had excited his countrymen to revolt. However, he durst not keep the field when the *Consuls* appeared; he fled for refuge to *Privernum*. *L. Plautius*, with one part of the army, entered the territory of *Fundi*, the Senators of which City came out to meet him, and endeavoured to justify themselves from having any share in the revolt. The *Consul* wrote to *Rome* in their favour, and then marched to rejoin his Colleague, who had already blocked up *Privernum*. The siege of this place was not yet over, when the Senate recalled one of the *Consuls* to *Rome*, to preside in the *Comitia* for electing new ones.

The *Romans* were the terror of their neighbours, but the *Gauls* in *Italy* were the terror of the *Romans*. And the Republick being alarmed at the news of

Year of
R O M E
ccccxiii.
Bef. J. C.
Three
hundred
thirty.
124th
Consul-
ship.
Orof. B.
3. c. 10.
Val. Max.
B. 2. c. 5.
Liv. B. 8.
c. 18.

Year of
R O M E
ccccxviii
Bef. J. C.
Three
hundred
twenty-
nine
125th
Consul
ship.
A 2d
time
Liv. B. 9.
c. 10.

c. 20.

Year of of the *Gauls* being in motion, thought fit to bring on the elections before the usual time, in order to provide fit Generals for so important a war

cccccxiv. a war

Bef. J. C.

Three

hundred

twenty-

eight,

126th

Consul-

ship.

* A 2d

time.

Fall. Ca-

pit.

L. Æmilius and *C. Plautius*, the new *Consuls*, entered on their office the very day of their election, and they drew lots for their commands. It fell to *Æmilius* to act against the *Gauls*; his Collegue was to carry on the siege of *Privernum*. How much the very shadow of the *Gauls* terrified *Rome* may be judged of by the extraordinary preparations at this time to oppose them. The levies were made with the utmost rigour; no excuse was allowed; the meanest artificers, and those of sedentary occupations, were without distinction put into the roll. But, after all these precautions and many other, advice came that the *Gauls* were quiet; so that *Æmilius* joined his Collegue before *Privernum*. The town was taken, and the rebel *Vitruvius*, being made prisoner, was condemned by the Senate to be first beaten with rods, and then beheaded. *Æmilius* and *Plautius* both triumphed on account of this new conquest; and the former, who had spent but little time before the place, obtained the surname of *Privernas*^b.

What now remained was to punish the *Privernates*. Those of their Senators, who had staid in *Privernum* after its revolt, were condemned to the same punishment which had been inflicted on the Citizens of *Velitra*, that is, they were banished beyond the *Tiber*, and forbid to appear any more on this side of it under the penalty of a great fine. And though the *Consul Plautius* interceded with the Senate for the innocent multitude, and particularly for the prisoners taken in the war, whom he brought to the door of the Senate-House, he did not immediately draw the *Conscripi Fathers* over to his sentiments; they were divided in opinion. One of the *Privernates*, by an haughty answer, indangered all his fellow-captives. Being asked by a Senator, who inclined to rigour, what punishment he thought the *Privernates* deserved? *The same*, said he, *which is due to men who think themselves worthy of LIBERTY*. So brisk an answer exasperated some of the assembly, which *Plautius* perceiving endeavoured to prevent the ill effect of it, by putting a milder question to the prisoner, and which should naturally draw a softer answer from him: *Suppose*, said the

^a In the midst of these apprehensions the *Romans* did not forget their sports and diversions. They at this time built sumptuous Porticoes at the entrance of the *Circus*, for a shelter to the Horses, which were before so exposed to the sun, that they were often fatigued before they began the race. *C. & R.* All that *Livy* says, is, *Carceres eo anno in circo primum statuti*.

^b The *Romans* are sometimes reproached with unjustly giving all the glory of an en-

terprise to the last General concerned in it, and who finished it, notwithstanding that the former commanders had brought it to such a maturity, as to be past the danger of abortion. But it should be considered, that this conduct in a people, whose chief aim was to extend their empire, was founded in wise policy: By giving all the honour of a successful war to him who ended it, they animated their Generals to exert themselves on all occasions to make a rapid conquest. *C. & R.*

Roman Miles of 5000 Grec each — *A Map of GREAT GREECE and of the Islands of SARDINIA and CORSICA (By Mon. Delile)*
First Geographer to the King of France, and Member of The Royal Academy of Sciences.



Consul, we should pardon you: In what manner may we expect you will be- Year of
have yourselves for the future? The prisoner answered, If the peace you grant R O M E
us be a good one, we shall maintain it faithfully and inviolably; if the terms ccccxiv.
of it be hard, do not count upon us long. These words made different im- B. C. J. C.
pressions on the judges. Some construed them as menaces, and as in- Three
dications of a disposition to a new revolt; but the greater part and the hundred
wiser found a magnanimity in them worthy of a man and of a free man. twenty-
Those especially of the Senators who had been CONSULS adhered to Plau- eight.
tius's opinion, who loudly declared, and repeated it often, That a people 126th
whose only desire was LIBERTY, and whose only fear was that of losing it, Consul-
were worthy to become ROMAN. Accordingly the Senate passed a decree in ship.
favour of the prisoners, and Privernum was made a Municipium.

C H A P. XII.

§. I. The Romans give umbrage to the Samnites, by planting a Colony in their neighbourhood. And the Palæopolitans make an irruption into the Roman Territory. §. II. A remarkable instance of the Romans abhorrence of Malice, in the prosecution of a criminal. §. III. A new rupture between the Roman Republick and the Samnites. §. IV. The Romans take some Towns from the Samnites. And Publilius takes Palæopolis by means of a stratagem laid and executed by two of the Citizens: For which exploit, though he be but a Proconsul, he is decreed a TRIUMPH. §. V. The Tarentines being jealous of the growing power of Rome, by an artful stratagem seduce the Lucanians from the Roman interest into a league with the Samnites. §. VI. About this time the infamous passion of a Roman, named Papirius, for one of his insolvent Debtors, occasions the passing of a law at Rome, whereby CREDITORS are disabled from seizing the Persons of their DEBTORS.

§. I. IT was now customary for the Romans either to send Colonies to the Year of
conquered Cities, or to give the inhabitants the right of Roman R O M E
Citizenship. For they had found to their cost the ill consequences of that ccccxv.
independence in which they had left the Latines after their first reduction B. C. J. C.
of them. In pursuance of this new policy, the Senate, in the Consulship Three
of C. Plautius Proculus and P. Cornelius Scapula, sent a Colony of Romans hundred
to Fregellæ, a City in the Territory of the Sidicini, which the Romans had seven.
rebuilt after the Samnites had razed it. The repairing and fortifying of 127th
this place, and the planting a Colony in it, gave umbrage to the Samnites, Consul-
and proved the occasion of that furious war which soon after broke out ship.
between them and the Republick. Livy, B.
8 c. 22.

In the mean time the inhabitants of Palæopolis made incursions into the Roman Territory. These People were originally Eubæans, who came into Italy and built Cumæ. From thence they spread themselves farther;

Year of and a *Colony of Cumans* built *Naples*, or *Neapolis*, i. e. *The New City*;
 R O M E and, finding in the neighbourhood of *Naples* a Town ready built, they
 ccccxv. possessed themselves of it and called it *Paleopolis*, or *Palaiopolis*, i. e. *The Old*
 Ref. J. C. City.

Three hundred §. II. THE news of this irruption of the *Palæopolitans* was brought
 twenty- to *Rome* just before the holding of the assemblies of the *Tribes* and of the
 seven. Centuries; the first for the Election of *Tribunes of the People*, the second
 127th for that of *Consuls*. It is remarkable, that in the *Comitia* by *Tribes* the
 Consul- People at this time chose one *Q. Flavius*, a man of a most infamous cha-
 ship. racter, to be one of their *Tribunes*. The occasion of it was extraordinary.

He had been accused not long before of doing violence to a Lady. *Valerius*, one of the *Curule Ediles*, was his chief prosecutor; and the evidence
 Val. Max. was clear. Fourteen of the twenty-nine *Tribes* had already voted him
 B. 8. c. 1. guilty, when the accused, in order to move the rest of his judges to fa-
 vour him, made vehement protestations, and called heaven and earth to wit-
 ness his innocence. Upon this *Valerius* cried out with a louder voice,
What is it to me whether thou art guilty or innocent, provided thou be destroy-
ed! The *Tribes* were so offended at these words, that they acquitted the
 criminal by a majority of suffrages. *Flavius*, soon after, lost his mother;
 and, it being then customary to offer sacrifices in honour to the dead, he
 offered a greater number of victims than usual, and, in gratitude to the
 People for their late favour, distributed the flesh among them. They in
 return now chose him *Tribune*, though absent.

Year of §. III. THE *Comitia* by Centuries appointed *L. Cornelius Lentulus* and
 R O M E *Q. Publius * Philo* to be the new *Consuls*. *Publius* marched an army
 ccccxvi. towards *Paleopolis*, and, foreseeing that this place would not easily be taken
 Ref. J. C. while supplied with men and provisions from *Naples*, he prudently
 Three hundred incamped his troops in the narrow tract of ground between the two Cities.
 twenty- In the mean time *Cornelius*, who had posted himself with another army
 fix. near *Capua*, to keep the *Campanians* in awe (who were thought to be gained
 128th over by the *Samnites* to join them against *Rome*) received undoubted intel-
 Consul- ligence, that the *Samnites* openly solicited the *Roman Colonies* to revolt.
 ship. Upon this the Senate dispatched Ambassadors into *Samnium*, to learn the
 * A second reason of a conduct so contrary to the faith of Treaties. The Ambassa-
 time. dors met with a haughty reception. The *Samnites* complained of the pro-
 Livy, B. ceedings of the Republick, and particularly of the rebuilding and fortify-
 8. c. 23. ing of *Fregellæ*, which (they said) was a wrong done to the *Samnite* nation;
 and to reproaches they added even menaces. The Ambassadors, without
 losing their temper, proposed to refer the matter to the arbitration of their
 common allies. Arbitrators! cried the *Samnites*, *we will have none, but*
the Gods and our Swords; Battles will determine our pretensions better than
Words and Judges; Mars shall put an end to our disputes, in the plains of
Campania. Let our armies face each other between Capua and Sueffula, and
there try, whether the Samnites or the Romans shall be Lords of Italy. The
 Ambassadors replied, *We shall not go whither our enemies invite us; but*
whithersoever our Generals shall think fit to lead us.

§. IV. SUCH was the situation of affairs abroad when the time drew near for the new Elections. The Senate, without recalling the *Consuls* to Rome, ordered a *Dictator* to be named to preside at them. But when *Cornelius* had nominated *M. Claudius Marcellus*, a *Plebeian*, the *Augurs* pretended, for some frivolous reason, that the nomination was invalid; and though the *Tribunes* charged the College with imposture, and with pretending Religion, when their view was only to wound the *Plebeian* interest, the Government fell into an *Inter-regnum*; and then the *Comitia* chose *C. Petilius Libo* and *L. Papirius Mugillanus* *Consuls* for the ensuing year. They put themselves at the head of the army which *Cornelius* had commanded, and with which he had already entered *Samnium*, and they had the good fortune to be joined by the People of *Lucania* and *Apulia*, two nations to which the *Romans* had been hitherto almost utter strangers. With this reinforcement they penetrated farther into the enemy's country, ravaged their lands, and took three Towns from them.

But these conquests were of little moment in comparison of that made by *Publius*, whom the People, at the motion of their *Tribunes*, had continued in the command of the army before *Palæpolis*, with the title of *Proconsul*. He had already, as was beforementioned, cut off the communication between that place and *Naples*, so that the besieged were much streightened for want of provisions. Nor was this the greatest calamity which the *Palæpolitans* suffered. Four thousand *Samnites* and two thousand of the inhabitants of *Nola*, a City of *Campania*, under pretence of defending *Palæpolis*, had, before it was invested, got into the Town, where they kept the citizens in a state of cruel slavery, treating them as prisoners of war, and even doing violence to their wives and to their children of both sexes. In this distress having long waited in vain for relief from the *Tarentines*, whose presence they hoped would deliver them from the oppression of their defenders, the inhabitants at length resolved to put the place into the hands of the *Romans*. The *Palæpolitans*, as has been observed, were originally *Greeks*, and the stratagem they made use of had in it much of *Grecian* artifice. *Nymphius* and *Charilaus*, the two chief Magistrates of the City, undertook, with the consent of the principal inhabitants, to act two different parts in order to the execution of the common design. *Charilaus* escaped as a deserter to the *Roman* camp, where he applied himself to the *Proconsul*, and imparted to him the desire of his countrymen to purchase the friendship of the *Romans* by surrendering their City to them. He declared, that he had nothing in view but the interest of his Country and of the *Roman* Republick, and demanded no condition to his own private advantage. *Publius* received him kindly, applauded his generosity, and readily entered into the scheme proposed. He put him at the head of 3000 *Romans*, who at a proper time were to attack the place in that part which was defended by the *Samnites*. In the mean time *Nymphius*, who had staid in *Palæpolis*, inveighed most vehemently against his Colleague for his desertion, and by his counterfeited anger so effectually blinded the *Samnite* Commanders, that without any suspicion they fell into the snare he

Year of
R O M E.
ccccxxvii
Bef. J. C.
Three
hundred
twenty-
five.

129th
Consul-
ship.

had prepared for them. He advised them, as the surest method to force the *Romans* to withdraw their troops from the neighbourhood of the City, immediately to equip the fleet which lay in the Port, and make a descent in the *Roman Territory*; and he offered to undertake in person the execution of his project. This motion was highly approved, and, as the ships lay dry on the shore, all diligence was instantly used to set them afloat. *Nymphius* contrived to have the *Samnite* Troops chiefly employed in that laborious work, which, under pretence of better concealing the design, he ordered to be done in the night; and when by this means he had left that part of the wall, by which the *Romans* were to enter, but weakly guarded, he gave notice to his Collegue, with whom he all along kept a private correspondence, to begin the attack. *Charilaus* with his 3000 *Romans* advanced without loss of time, and, being favoured by the inhabitants, easily made himself master of the place. As for the *Samnites* (who were most of them busied without the Town) finding themselves betrayed, they made the best of their way to their own country, without arms or baggage, being ever after the derision of their countrymen, who continually reproached them with the *Palapolitan* Equipment.

Notwithstanding that the *Romans* had got possession of the Town by the good-will of the inhabitants, yet, inasmuch as it was by means of the siege that the latter were brought to take those measures they did in favour of the Republick, the *Proconsul* was decreed a Triumph for his success. *Livy* observes, that two particular honours were done *Publiltus*, which had never been done before to any *Roman*: The being continued after the expiration of his Consulship at the head of the same army he had commanded when *Consul*, and the being decreed a Triumph for exploits performed in an inferior station.

Livy, B.
8. c. 27.

c. 24.

§. V. THE taking of *Palapolis* made the *Tarentines* jealous of the growing power of the Republick. They had a little before this lost their chief support by the death of *Alexander* King of *Epirus*, who, being warned by an Oracle to avoid the Waters of *Acheron* and the City of *Pandofia*, had left his own country, in which were a City and River of those names, and met his fate in *Italy*, where there happened to be another *Pandofia* and another *Acheron*. The story, as related by *Livy*, is to this effect: The King of *Epirus* had made a descent in *Italy* to assist the *Tarentines* against the *Bruttians* and *Lucanians*; and having taken some towns of importance from the enemy, he divided his army into three bodies, and incamped them on three different hills separated by deep vallies. The *Italian Acheron* rolled its waters in one of those vallies, and the little City of *Pandofia* stood on the banks of it. The violent rains, which came on a sudden, filled up the vallies, and cut off the communication between *Alexander's* three bodies of Troops. The enemy seized this occasion to attack them separately, while they could not assist each other, and, having easily defeated the two divisions of the army where the King was not, they straight encompassed the hill where he had posted himself. *Alexander*, by his bravery, forced a passage through the enemy, and, having rallied his scattered soldiers,

diers, came to a river, where the fresh ruins of a bridge, which the flood had broken down, pointed out the right road for him to take. While they attempted to pass the stream, uncertain whether it were fordable or not, an *Epirot* soldier, oppressed with fear and fatigue, made this sudden exclamation, *Justly indeed art thou called Acheron!* (*i. e. River of Sorrow.*) The King hearing this, and remembering the Oracle, stopt short, unresolved whether to go forward or not; but in that instant *Sotimus*, one of his Pages, telling him that, his own Guards (consisting of 200 *Lucanian* Exiles whom he had taken into his service) had in concert with the enemy plotted his destruction, and the King seeing them in reality advancing to assault him, he sword in hand pushed on his horse, and had almost reached the opposite shore, when one of those faithless guards at a distanced lanced a javelin at him, which pierced him through, and killed him.

Year of
R O M E
ccccxxvii
Ref. J. C.
Three
hundred
twenty-
five.
129th
Consul-
ship.

The *Lucanians* and *Apulians*, by going over to the *Romans*, and declaring for them against the *Samnites*, had much increased the uneasiness of the *Tarentines*. These therefore, who were very ready at tricks and artifices, contrived a stratagem to deceive the *Lucanians*, and bring them off from the party they had espoused. They bribed a company of young *Lucanians*, of good families, though of little honour, to tear their backs with whips, and then shew themselves to the People, pretending that they had been treated in that cruel manner by order of the *Roman Consuls*, to whose camp curiosity had led them. The *Lucanians* were so stupid a people, that, without examining into the truth of so improbable a fact, they immediately demanded a National Assembly, which being convened, it was there decreed, That war should be declared against the *Romans*; that the ancient alliances should be renewed with the *Samnites*; and that an Embassy should be sent to the latter for that purpose. The *Samnites* could scarce believe the deputation real; and, before they would hearken to the Ambassadors, demanded hostages, and insisted on the Towns of *Lucania* receiving *Samnite* garrisons. These things were readily granted, nor did the *Lucanians* discover the cheat till it was too late to repent.

Livy B. 2.
c. 27.

§. VI. AT this time the poor Debtors at *Rome* had the good fortune to shake off the heaviest yoke that lay upon them. By one of the laws of the *Twelve Tables*, Creditors were impowered to seize the Persons of their insolvent Debtors, and keep them in irons. These wretches, till they had discharged their debts by their labour or otherwise, were in all respects slaves, except in name. They were called *Nexi*, *i. e. Bound*, whereas the Slaves were called *Servi*. A young *Plebeian*, named *Publius*, of extraordinary beauty, and of a good family, had voluntarily made himself a slave to one *Papirius*, in order to pay his father's debts. *Papirius* conceived a detestable passion for the young man, and, upon his refusing to comply, caused him to be whipt unmercifully. *Publius* made his escape out of the house, complained publicly of the cruel usage, and told the occasion of it. The story filled the People with compassion for the young man, and with resentment and fury against his master. They gathered together tumultuously,

c. 28.
Varro de
Lingua
Latina,
B. 6.

Year of R O M E ccccxvii
 Bef. J. C. Three hundred twenty-five.
 136th Consul-ship.
 Livy, B. 8. c. 28.

multuouſly, and having, by their clamours, obliged the *Conſuls* to aſſemble the Senate, preſented *Publius* before them, with his back all bloody and torn, and then on their knees demanded juſtice. The Senate had regard to their intreaties; and though they decreed nothing againſt *Papirius* (perhaps for want of ſufficient proof) they paſſed a law, which was afterwards confirmed by the People in *Comitia*, *That for the future no perſon whatſoever ſhould be held in fetters or other bonds unleſs for ſome crime that deſerved it, and only till the criminal had ſuffered the puniſhment due by law; and that CREDITORS ſhould have a right to attack the Goods only, and not the Perſons of their DEBTORS.*

C H A P. XIII.

§. I. *The Veſtini, a People on the coaſt of the Adriatick ſea, take arms againſt Rome, to their own loſs.* §. II. *L. Papirius Cuſor is named Dictator to conduct the war againſt the Samnites. His General of the Horſe, Quintus Fabius, is guilty of a breach of diſcipline. The ſeverity of the Dictator on this occaſion.* §. III. *Finding his ſoldiers ill affected to him becauſe of his ſeverity in command, he changes his manner on a ſudden, and in a little time gains their affections. After which he reduces the Samnites to ſue for peace.* §. IV. *The Senate grant the Samnites only a year's Truce, which the latter break ſo ſoon as they hear that Papirius has quitted the Dictatorſhip. The Romans obtain a complete victory over them.* §. V. *The Samnites, repenting of their breach of the Truce, endeavour to pacify the Romans.*

Year of R O M E ccccxviii
 Bef. J. C. Three hundred twenty-four.
 137th Consul-ship.
 Livy, B. 8. c. 29.

§. I. **T**HE Republick, in the following Conſulate of *L. Furius Camillus* and *D. Junius Brutus*, began to be embarrassed by the great numbers of enemies ſhe had to deal with. Beſide the *Samnites* and *Lucanians*, the *Veſtini* had declared againſt her. Theſe were themſelves an inconfiderable people upon the coaſt of the *Adriatick ſea*; but they had powerful neighbours, who in all probability would arm in their defence; if the Republick ſhould attack them. This conſideration made the Senate demur; but at length pride prevailed over prudence; it was not for the honour of *Rome* to let herſelf be inſulted without revenging it. The two *Conſuls* therefore took their commands by lot, and it fell to *Camillus* to conduct the war againſt the *Samnites*, and to *Brutus* to act againſt the *Veſtini*. *Brutus's* firſt care was to hinder the *Veſtini* from joining the *Samnites*, which he did, by incamping on the frontiers between the two nations. He ſoon after defeated them in battle, and took from them *Cutina* and *Cingilia*.

§. II. *CAMILLUS*, who had made it his buſineſs to keep the *Samnites* upon the deſenſive in their own country, fell ſick, and was obliged to return to *Rome*; and, being there ordered to name a *Dictator*, he pitched upon *L. Papirius Cuſor*, the greateſt Captain the Republick could then boaſt of, who appointed *Q. Fabius Rullianus* to be his *General of the Horſe*.

Aurel. Vict. de Viris Illuſt. c. 31.

Horfe. These took possession of the command of the army in *Sammium*: But, there having been something obscure in the *Auspices* consulted before their departure from *Rome*, scruple and superstition tormented the *Dictator* when he came to enter upon action. To remove the pain of his doubts and fears, he returned to the City to renew the *Auspices*; but first forbade *Papirius*, with whom he intrusted the command of the army in his absence, to venture a battle with the enemy.

Year of
R O M E
ccccxxviii.
Bef. J. C.
Three
hundred
twenty-
four.

Fabius being fond of glory, and beloved of the army, and disdaining to have his hands so tied up, resolved to hazard an action, notwithstanding the *Dictator's* prohibition. He attacked the *Samnites*, whom he found in less disorder than he had at first expected, and was once very near losing the day: But then the *Roman* cavalry, unbridling their horses, drove upon the enemy with such a sudden and irresistible impetuosity, that the latter were put into confusion, and intirely broken and defeated. Twenty thousand of them remained dead upon the field of battle. This victory made the young Conqueror grow insolent; and, instead of lodging the spoils of the enemy in the *Quæstor's* hands, to be sold for the advantage of the publick, he caused them all to be burnt, that they might not do honour to the *Dictator*, by being carried in his Triumphal Procession; neither did he send any account of his victory to the *Dictator*, but only to the *Senate*; an instance of great disrespect to the General under whose *Auspices* he had fought.

150th
Consul-
ship.
Livy, B. 8.
c. 30.
Val. Max.
B. 3. c. 2.

Liv. B. 8.
c. 30.

The proceedings incensed *Papirius*, and he hastened to the camp to punish his disobedient General of the *Horfe*. *Fabius* having timely notice of his coming, and of his design, called together the troops, and made an harangue to them, wherein he inveighed against the *Dictator*, whose resentments, he said, threatened not only his life, but the lives of many of the other officers, and even of the private Soldiers, who had helped him to gain the victory. That therefore it was the common interest of the army to protect him; and that to them he committed the defence of his life and fortune. The soldiers with one voice cried out to him to take courage, and they promised to defend him to the last breath. *Papirius*, not long after, arrived. Having instantly assembled the Troops, he ordered the Crier to call *Quintus Fabius*, General of the *Horfe*, to appear before him. When *Fabius* was come near the Tribunal, and silence made, the *Dictator* questioned him concerning his violation, not only of the common laws of Military Discipline, but of the express orders of a *Dictator*, whom he could not but know to have a sovereign authority in the Republick, and whom even the *Consuls* themselves, Magistrates who succeeded to the Regal Power, obeyed. *Fabius* had a bad cause to defend, and was confused in his answers; one while complaining that the *Dictator* was both accuser and judge, and then exclaiming loudly, that he would sooner lose his life, than the glory of his exploits; this moment he attempted to excuse himself, and the next accused the *Dictator*: which provoking *Papirius* still more, he commanded the *Lictors* to strip the criminal, and prepare the Rods and Axes. But, when these executioners were beginning to tear off his clothes,

c. 31.

c. 32.

Val. Max.
B. 2. c. 7.

he

Year of ROM E he cried out to the Soldiers for assistance, and by some means made his escape, retiring among the *Triarii*. These things put the army into a great commotion, and raised a clamour throughout the whole assembly; some beseeching, others threatening. The officers who were near the *Dictator* endeavoured by reasoning and by intreaties to mitigate his resentment against a young man of great hopes, and of a family so highly and so justly honoured in *Rome*. They represented to him the danger, to which he might expose himself by too far exasperating the multitude, who, blind with anger, might be carried to do something extravagant and desperate. All was in vain, *Papirius* continued inflexible; and their remonstrances seemed more to increase his indignation, than to soften him towards *Fabius*. But, when he would have commanded silence, the noise was so great that neither his criers nor himself could be heard, and night alone put an end to the tumult. *Fabius*, though summoned to appear again the next day, did not think it prudent to stand a second trial, but escaped to *Rome*, there to present himself before less passionate judges.

cccxviii.
Bef. J. C.
Three
hundred
twenty-
four.
130th
Consul-
ship.
Eutrop.
B. 2. c. 8.
Livy, B.
8. c. 33.

As soon as he arrived, his father (who had been thrice *Consul*, and once *Dictator*) thought it necessary to get the Senate assembled without delay, and obtain a favourable decree for him before the return of the *Dictator*. The Senate was met, young *Fabius* had already worked upon the *Fathers*, and made them think *Papirius* both unjust and barbarous, when on a sudden a great noise was heard at the door of the Temple where they were sitting. It was *Papirius* himself, attended by his *Lictors* who were dispersing the crowd at the entrance of the sanctuary. Upon his appearance the scene changed. He took his place, ordered his *Lictors* to seize young *Fabius*, and was immediately obeyed. In vain did the oldest and most venerable Senators intercede for the criminal; *Papirius* was inexorable: so that the father of the young man, having no other remedy left, appealed to the people in *Comitia*; and, though the appeal was unprecedented, the *Dictator* did not hold it expedient to dispute the superior authority of the *Roman People*.

When the *Comitia* were formed, both the *Fabii* ascended the *Rostra* with *Papirius*; which he observing, sternly ordered the *Master of the Horse* to be pulled down. Young *Fabius* immediately descended, and his father followed him; but then the father, placing himself at the foot of the *Rostra*, broke out into bitter invectives against *Papirius* for his haughtiness and barbarity; he cited some former ^a cases (not much to the purpose) where faulty Generals had not been so severely punished; he complained, that no distinction was made between a fortunate and an unfortunate disobedience; and, in short, omitted nothing that could be said in so bad a cause. He clamoured, he brangled, he complained, he called upon Gods and men for help, and, throwing his arms about his son's neck, wept over him a flood of tears. The whole assembly was moved. On the side of the *Fabii*, says *Livy*, were the majesty of the Senate, the favour of the Peo-

c. 34.

^a The case of *Minucius* (see p. 318.) and that of *L. Furius* (see p. 403.).

ple, the aid of the Tribunes, and a remembrance of the absent army. *Papirius*, on his own part, spoke in a high strain, of the Dignity of his Office, the Military Laws, *Dictatorial* Edicts revered as the Oracles of Heaven, *Manlius's* rigour to his own son : He reproached the *Romans* with degeneracy from that heroick love of their country, which used to prevail over all paternal affection and private considerations : He urged the many ill consequences of admitting appeals from a *Dictator* to the *People*, and especially in cases of disobedience in war ; and concluded with admonishing the Tribunes not to load themselves with the blame of being the authors of those mischiefs to the Republick, by their protection of the guilty *Fabius*.

Year of
R O M E
CCCCXXIII.
Def. J. C.
Three
hundred
twenty-
four.
130th
Conul-
ship.
Livy B.8.
c. 34.

His discourse threw both the *People* and their *Tribunes* into great perplexity : For, tho' to receive Appeals from the sentence of a *Dictator* was to extend the exercise of the *People's* power, yet they were afraid of the consequence of interposing (in such a cause especially) against that high authority, which they had so often found it necessary, for the safety of the Republick, to lodge with a single Magistrate. Instead therefore of taking upon them to judge in the affair, they only became intercessors for the criminal, humbly beseeching the *Dictator* in the most earnest manner to pardon his *General of the Horse*. The *Fabii* themselves likewise fell prostrate at his feet, and implored his clemency. Upon this *Papirius* ordered silence to be made, and then declared, That he was satisfied : MILITARY DISCIPLINE has prevailed, the DICTATORIAL AUTHORITY has gained the victory. The delinquent is not acquitted, but condemned, and is pardoned at the intercession of the Roman People and of their Tribunes : They have succoured him, not as innocent, not by a just exercise of power, but by their prayers for mercy on a convicted criminal. Live then, *QUINTUS FABIVS*, more fortunate in this unanimous consent of your Country to your preservation, than in the victory you a while ago so insolently boasted of. Live, *FABIVS*, though you have dared to commit a crime which your own Father, in my place, would not have forgiven. You shall be received again into my favour—upon any terms. But as for the Roman People, to whom you owe your life, the best return you can make to them, is to let this day teach you, whether in war or peace, to obey your lawful commanders. Go, you are at liberty. Thus ended this affair ; and the *Romans* afterwards confessed, to the *Dictator's* honour, that the perils into which he brought *Fabius* had conduced as much to the support of Military Discipline, as the death of young *Manlius*, condemned by his own Father.

§. III. BUT, while *Papirius* staid in *Rome*, the *Samnites* took advantage of his absence to insult his army ; whose Commander, *M. Valerius*, a Lieutenant General, was so intimidated by the example of *Fabius*, that he durst not oppose the hostilities of the enemy. He suffered a party of his foragers to be cut in pieces, rather than stir out of his camp to relieve them. This accident helped to exasperate the troops yet more against the *Dictator* ; who, when he came to the camp, (with *L. Papirius Crassus*, a relation of his own, whom he had appointed to command the Horse in

c. 36.

Year of the room of *I'abius*) found all his men so ill-affected to him, and so little disposed to gain him glory, that he had no hopes of making any progress with them in the war. However, as the enemy offered him battle, and he could not in honour decline fighting, he posted himself so advantageously, and drew up his troops with so much dexterity, that it was not possible for them to be intirely defeated. When the battle was over (in which, though they had fought but faintly, they had not been routed) *Papirius* acted a part which surpris'd every body. Not one officer or soldier, who had behaved himself negligently in the fight, was so much as reprimanded by him. He went about with his Lieutenants visiting the wounded soldiers, put his head into their tents, asked them how they did, charging their officers to have particular care of each of them by name; and all this he seems to have done without the least appearance of affectation: for we find that the army, which had always held him in esteem, came, in a short time, to have a most tender affection for him.

The People at *Rome*, being informed of this great alteration in the dispositions of the soldiers towards their commander, continued him in his employment^a, and no *Consuls* were chosen for the year 429. As for *Papirius*, he no longer doubted of victory, and he soon gave the enemy a total overthrow; after which he over-ran *Samnium* (leaving all the booty to his soldiers) and reduced the *Samnites* so low, that they sued for peace, which he granted them on three preliminary conditions: That they should cloath all his Troops, give them a year's pay, and get the Treaty confirmed by the Senate.

§. IV. *PAPIRIUS*, having triumphed for his late victories, held the *Comitia* by *Centuries*, where *C. Sulpicius Longus* and *Q. Aulus Cerretanus* were chosen *Consuls* for the next year. When the *Conscript Fathers* came to consider of the Peace to be made with the *Samnites*, they disapproved of the terms offered by them, and therefore granted only a Truce for a year, which the *Samnites* broke so soon as they heard that *Papirius* was no longer in command. At the same time the *Apulians* declared for them against *Rome*. The Republick thought it necessary therefore to divide her forces between the two *Consuls*. *Aulus* led an army into *Apulia*, and *Sulpicius* another into *Samnium*; but, both *Samnites* and *Apulians*, keeping themselves close in their fortified places, the *Roman* Generals reaped little glory from the campaign.

This year the *Tusculans* were tried before the *Roman* People upon a bill preferred by the *Tribune*, *M. Flavius*, to punish them for ad-

^a *Livy* confines *Papirius's* Dictatorship to the foregoing year 428, and places the events of this year 429 in that. So that he makes *Papirius's* two Dictatorships to have been but one. Nevertheless it appears that *Papirius* was continued in his office, and created Dictator a second time. We have a convincing proof of it in the *Fast Capitolini*. They say that *L. Papirius* triumphed

over the *Samnites* in the year 429, on the the third of the Nones of *March*. This makes us believe that *Papirius's* Dictatorship was prolonged to the year 430; and *Livy's* silence confirms us in this opinion: for he makes no mention of any *Consuls* for the year 429, which is likewise omitted in the consular Annals. C. & R.

vifing and affifting the People of *Velitræ* and *Privernum* in the war they made upon the *Romans*. The *Tusculans*, with their wives and children, came to *Rome*, and in the humbleft manner follicited the People to have pity on them. All the Tribes, except the *Pollian*, rejected the bill. The *Pollian* would have had all the men fcourged and beheaded, and their wives and Children expofed to fale. Of this the *Tusculans*, who were incorporated into the *Papirian* Tribe, retained fo lafting a resentment, that, almoft to the times of *Livy*, fcarce any perfon of the *Pollian* Tribe, who flood candidate for an office, could get the vote of the *Papirian*.

Quintus Fabius (who had been General of the Horfe to the Dictator *Papirius*) and *L. Fulvius Corvus*, the next year's *Consuls*, marched their joint forces againft the *Samnites* (who had raifed a formidable army) and gave them an intire overthrow, but not without great difficulty. The *Samnites* had furprifed the *Romans*, while incamped in a place very difadvantageous both for fubfifting their army and for fuftraining an attack; and, when, for thefe reafons, the *Romans* attempted to retire in the night, the enemy watched them fo narrowly, and purfued them fo clofe, that the next day they found themfelves under a neceffity of hazarding a battle. It lafted from nine in the morning till two in the afternoon, without either fide's giving way, or fo much as changing the order in which they were firft drawn up. The imprudence of the *Samnite* cavalry determined the fortune of the day: For, having received advice, from one of their moft advanced fquadrons, that the *Romans* had left their baggage a good way behind them without any troops to defend it, greedinefs of plunder induced them to wheel off in order to feize the prey; and the *Consuls*, to whom early notice of their motion was brought, allowed them all the time that was neceffary to load their horfes with booty, and put themfelves out of a condition to fight; and then ordered away the whole body of *Roman* c. 39. cavalry to fall upon them. The cavalry executed the order with expedition and fuccels: After which, fetching a compafs, they came upon the rear of the *Samnite* Infantry; an unexpected attack, which ftruck them with terror, and foon after threw them into confufion. The *Romans* purfued their advantage, and made a dreadful flaughter: Thofe of the *Samnites*, who kept their ground, were cut in pieces by the *Roman* Foot; and thofe who fled fell moft of them by the fwords of the Horfe, and, among the reft, the General himfelf.

§. V. SO terrible a defeat made the *Samnites* reflect ferioufly on their unjuft breach of the Truce with the *Romans*; and they imputed their late misfortune to the anger of the Gods, whom they fuppofed to be offended at the violation of their oaths. To appeafe them, they refolved to facrifice the chief author of that breach; and one *Brutulus Papius*, a man of diftinction, but of a turbulent fpirit, was univerfally pitched upon to be the victim. They paffed a decree that he fhould be delivered up to the *Romans*; and, that the fpoil and captives taken within the time of the Truce, and in fhort, whatever their *Feciales* had demanded, fhould be reftored to them. In purfuance of this decree, *Brutulus*, with all his effects,

Year of
R O M E
ccccxxi
Bef. J. C.
Three
hundred
twenty-
one.
132d
Consul-
fhip.
Livy, B.
8. c. 38.

Fast. Ca-
pit.

Year of R O M E cccxxxii. Bef. J. C. Three hundred twenty-one. was put into the hands of some *Samnite* ambassadors, to be carried to *Rome*; but he killed himself before he got there. However, they surrendered his dead body to the *Romans*, who, of what was offered by way of restitution, accepted only the captives and a part of the effects, rejecting whatever could not be claimed by any private *Roman* as his own.

After this the *Consul Fulvius* returned to *Rome*, while his Collegue *Fabi-
bius* led an army into *Apulia*. That he succeeded in his expedition ap-
pears by the *Capitoline Marbles*, where he is said to have triumphed over
the *Samnites* and *Apulians*, *Fulvius* over the *Samnites* only. One *A. Corne-
lius* was this year chosen *Dictator*, but it was only to preside at the *Games*
in the absence of the *Consuls*, and during the sickness of the *Prætor*.
However *Livy*, finding that at the time of the defeat of the *Samnites* the
Government was in the hands of a *Dictator*, ascribes by mistake that ex-
ploit to him. The *Capitoline Marbles* rectify the error,

C H A P. XIV.

- §. I. *The Samnites, being refused a Peace, prepare to carry on the war with vigour: and they appoint one Pontius, an able officer, to be their General. Pontius, by a stratagem, draws the Roman Legions into a dangerous pass (called afterwards the Caudine Forks) where they are surrounded by the Samnites, and have no possibility of forcing their way out of it. To save their lives, they submit to shameful conditions imposed by the enemy.* §. II. *The base expedients, to which the Romans have recourse, to evade the treaty.* §. III. *Satricum revolts from the Romans; and the Samnites surprise Fregellæ, a Roman Colony.*

Year of R O M E cccxxxii. Bef. J. C. Three hundred twenty-one. §. I. **I**T had been a constant maxim with the *Romans* to pardon the nations which submitted, and to treat none with rigour but the proud and untractable; but their late successes made them now deviate from this rule; and, notwithstanding that the *Samnites* sued to them for a peace, and endeavoured to merit it by the methods which have been related, the Senate rejected their petition, and thereby put them under a necessity of continuing the war at all hazards. And, while the *Centuriate Comitia* at *Rome* were chusing *T. Metellus* and *Sp. Posthumius* *Consuls* for the new year, the *Samnites* in their Diet appointed one *Pontius*, an able General, to command their troops. *Pontius* exhorted the assembly not to fear a war with a People who had received restitution of wrongs with haughtiness, and had refused peace when offered upon the most reasonable terms. The Gods, said he, are now no longer our enemies; Justice accompanies our arms, and we cannot fail of success. He then immediately led his troops near to *Caudium* (a little town in *Samnium*) and there incamped as covertly as possible. When the *Consuls* were come within a league of him, he caused a report to be spread, that the *Samnite* army was laying siege to *Luceria* in *Apulia*; and, the more effectually to deceive the *Romans*, he ordered ten of his soldiers in the habit of herdsmen to lead some cattle in-
to

to different parts, but still in the neighbourhood of the enemy, with instructions to agree all in the same report when taken prisoners by their Foragers. The stratagem succeeded. The Romans in a council of war resolved to march to the relief of *Luceria*; and, there being two ways thither, one broad and open, but farther about than the other, which was through certain freights (called since *The Caudine Forks*) they chose the latter. The nature of the ground was this: Between two circling ridges of mountains, so covered with trees and briars as to be absolutely unfurmountable, was a pretty large marshy meadow, through the middle of which lay the road. At the higher end, the way into it was very deep and narrow through a hollow rock; the way out, at the farther end, more narrow, deep, and difficult. When the Romans, having passed the first, came to this, they found it intirely barred with huge stones and trees laid across: and then they also discerned great numbers of the enemy on the tops of the eminences. To avoid being inveited, they instantly turned back, thinking to retire through the pass by which they had entered; the *Samnites* had already blocked it up. The consternation of the Romans was inexpreffible, when they perceived themselves shut in, with out a possibility of escaping. They stood silent and fixed their eyes on one another, each to see whether he could discover any glimmering of hopes in his companions looks. At length the soldiers seeing the *Consuls* tent pitched, and preparations making towards fortification, set themselves to work, without waiting for orders, to raise a rampart along the water, though they well knew it to be a fruitless labour, and were all the while scoffed at by the enemy. As soon as the army was incamped, the principal Officers repaired of their own accord to the *Consuls* tent; but the case was such as allowed no room for counsel or debate. The Gods themselves, says *Livy*, could hardly have given them assistance. Night came on: Without taking any refreshment, officers and soldiers spent the hours of rest in discoursing on their unlappy situation.

On the other hand, the *Samnites* could not come to any determination what to do with their enemies, who were absolutely at their mercy. After much debate it was at length universally agreed to consult *Herennius*, the father of *Pontius* a wise old man whom they looked upon as a kind of Oracle. The messenger whom they sent to him for his advice brought back this answer: *That he counselled them not to do the least harm to the Romans, but to open them a free passage home.* This advice being rejected, the same messenger was dispatched a second time; and then the old man sent word, *That he would not have them spare the life of one single Roman.* The strange difference between these two answers made the *Samnites* imagine that there was some mystery in the matter, and they pressed *Pontius* to have his father brought to the camp, that he might explain himself. When the wise *Herennius* was come, he let them know, that in good policy there was no medium between treating the Romans in the kindest manner, and destroying them absolutely. That by the first (which he thought

Year of
R O M E
ccccxxii
Bef. J. C.
Three
hundred
twenty.
—
133d
Consul-
ship.
Eutropi-
us, Florus,
Zonaras,
Orosius,
&c.

Year of thought the best) they would gain the friendship of a powerful nation ;
 R O M E that by the second they would greatly lessen the strength of a dangerous
 cccxxxii enemy ; but that no third way could produce any advantage of either
 Bef. J. C. fort. However, this prudent advice was not followed. *Pontius* and his
 Three Officers chose a middle way, such as their foolish vanity suggested : They
 hundred would spare the lives of the *Romans*, but at the same time treat them as
 twenty. conquered enemies.

133d^r Whilst the *Samnites* were in these deliberations, the *Romans* sent a de-
 Consul- putation to them to desire a truce upon equitable terms, and in case of
 ship. refusal to invite them to a battle. *Pontius* with a haughty air answered,
 Livy, B. That the *Samnites* had no battles to fight ; that the victory was already gained ;
 9. c. 4. and that not a man of the *Roman Legions* should escape, till they had been dis-
 armed, and had passed one by one under the Yoke : That, besides this, he ex-
 pected that the *Romans* should quit *Samnium*, and withdraw their Colonies
 from all the Cities they had usurped from the *Samnites*. And he concluded
 with forbidding the Deputies to appear any more in his presence, if the Con-
 suls did not accept the terms proposed.

The report of this answer threw the *Legions* into the utmost despair.
 The *Consuls* were struck dumb, and durst not declare themselves for so
 shameful a Treaty. *L. Lentulus*, a considerable Officer in the army, and
 who had been at the head of the Deputation to the *Samnites*, was the first
 who broke silence ; addressing himself to the *Consuls*, he spoke to this
 effect : *I have often heard my father say, that, when the Gauls besieged the*
Capitol, he was the only man in the Senate, who opposed the redeeming of Rome
with Gold ; and the reason he gave for his opinion was, that, the enemy not
having shut up the Capitol by intrenchments, nor raised any rampart round it,
it was still possible for the Romans, though difficult, to force a passage through the
besiegers. Were the case with us the same ; were there any possibility of escaping ;
could we make sallies, as they sometimes did, or could we force the Samnites to a
battle, I should soon convince you by my counsel, that I have the same courage
as my father ; I should speak the same language, and endeavour yet more by
my example, than my words, to animate you to the fight, though in never so dis-
advantageous a situation for it. For my own part, I would gladly rush into
the midst of the enemy, and devote myself for the Roman People, if that could
be of any avail to their preservation ; for I am truly sensible, that no fortune
can be so glorious as to die for the safety of our Country. But our Country at
present is here ; its chief stay and strength, the Roman Legions, are in this
valley. Shall they devote themselves to death for their own preservation ? To
what end then ? To save the Walls of Rome ? the Houses ? the croud of
People that inhabit the City ?—And which way can even these be preserved,
if this army perish ? Will a weak, unarmed, despondent multitude defend
them ? Just as they did against the Gauls after the battle of the Allia.—
But it is shameful, say you, to give up our arms like cowards. I grant it :
Yet the love of our Country should be such, as to make us ready, if need be,
to suffer Ignominy as well as Death ; to sacrifice, not only our Lives, but our
 Glory

Glory to preserve it. For the sake of ROME then let us submit to the conditions imposed, be the indignity never so great; nor scruple any longer to obey Necessity, to which the Gods themselves are subject.

Year of
R O M E.
ccccxxxii.
Bef. J. C.
Three
hundred
twenty.

This advice was followed. The Consuls signified to Pontius, that they consented to lay down their arms, and pass under the Yoke; upon which they obtained a conference with him. As to a treaty of Peace, they declared, *That they could not conclude any that, would be binding on the Roman People without their approbation, and the ministry of the Feciales. That their power extended no farther than to make promises, which they were ready to strengthen by giving Hostages.* The stipulation was accepted on these terms, and the Consuls, Lieutenant Generals, Quæstors, and Legionary Tribunes all signed the Convention; six hundred Roman Knights were to be given as Hostages; and the Samnites were to have power to cut off their heads, in case the Republick did not perform the Consuls promises.

133d.
Consul-
ship.
Livy, B.
9. c. 5.

When the day came for the Roman army to pass under the Yoke, or Gallows, the six hundred Knight marched first out of the camp, unarmed, and with only their under garment; and these were taken into safe custody. The Consuls followed next, then the inferior Officers, and at last the Soldiers one by one. The Samnites insulted them as they passed; and, if any Romans returned but a fierce look, he was immediately knocked down or killed.

c. 6.

The Romans could have reached Capua the same day; but partly out of distrust of that City, and partly out of shame to be seen there in so wretched a condition, they threw themselves on the ground in the neighbourhood of it, resolving to pass the night in the open air; which when the Magistrates of Capua understood, moved with compassion, they sent clothes, horses and arms, Lictors also and Fasses to the Consuls, and food for the whole army. And when, the next day, they drew near the city, the Senate and People went out to meet them with all demonstrations of kindness. Nevertheless the Romans, overwhelmed with shame, seemed unaffected with this hospitality: They kept their eyes fixed on the ground, and shunned all discourse. They were accompanied to the frontiers by several young men of the Campanian Nobility; but they still observed the same behaviour, and shewed the same dejection of mind; which, when it was reported to the Senate of Capua by the young Nobles at their return, made the assembly in general conclude that the Roman courage was for ever lost, and their affairs desperate. One of them, however, a venerable old man, declared, that he judged differently of the dumb confusion of the Romans: *This obstinate silence, their eyes fixed on the ground, their ears deaf to all consolation, are tokens of an inward rage that ferments without evaporating. If I am not wholly unacquainted with the temper of the Romans, their remembrance of the Caudine Treaty will be more fatal to the Samnites than to them. The Romans will have it in their thoughts wherever they shall encounter the Samnites; but these will not every-where find Caudine Streights.*

c. 7.

Year of
R O M E
ccccxxxii
Ref. J. C.
Three
hundred
twenty.

133d.
Conful-
ship.
Livy, B.
5. c. 7.

In the mean time the People at *Rome*, without ordets from the Senate, and as it were by tacit consent, put on the deepest mourning. The shops all round the *Forum* were shut up; there was a vacation in all the Courts of Justice, before any proclamation for it; gold rings and robes of magnificence were laid aside; and the city was more dejected, if possible, than the army itself. Before the arrival of the troops, it was the language of the People, angry not only with the commanders, but with the guiltless soldiers, that they ought not to be received into the city: But, as soon as they appeared, the publick indignation changed into pity. Nevertheless, they did not enter the city till night; and then every one stole home, and hid himself in his own house: Even the *Consuls* banished themselves from society, after they had performed the indispensable duty of naming a *Dictator* to hold the *Comitia*. They pitched upon *Q. Fabius Ambustus*; but, some defect being found in the nomination, *Fimilius Papus* was substituted in his room. Nor did this *Dictator* hold the Assembly for the Elections; no Magistrate of this unfortunate year could please the People; the Government fell into an *Interregnum*.

Year of
R O M E
ccccxxxi
Ref. J. C.
Three
hundred
nineteen.

134th
Conful-
ship.
* A 2d
time.
|| A 3d
time.
Livy, B.
5. c. 8.

§. II. AND now all eyes were cast on two of the greatest men in the Republick, *Papirius * Cursor* and *Publius || Philo*. These, being chosen *Consuls* in the *Comitia*, entered upon their office the very day of their election. Their first care was to obtain a decree of the Senate, importing, that there had been no defect in point of religion in their inauguration: After which the *Fathers* took into consideration the Treaty made with the *Samnites* by the late *Consuls*. *Posthumius*, one of those untimely Generals, was called upon to speak first. He addressed himself to the assembly with an air of great modesty and humility, owned the Treaty to be infamous, but declared, that the *Roman* People were not bound by it, since it had been made without their orders; and that the Republick was obliged in justice to nothing more, than to deliver up into the hands of the *Samnites* those of the army who had signed it. And he advised therefore that the new *Consuls* should lead a new army into the field; but that, before they entered upon action, they should surrender to the mercy of the *Samnites* his Collegue and him, with all the other officers who had been parties to the convention. The Senators were struck with admiration at the generosity of *Posthumius*; and their compassion for him did not fall short of their esteem of his heroick virtue. However, they all approved of the proposal, except two *Tribunes of the People*, who had (probably) been raised to that office since their return from the *Caudine Forks*. These contended, not only that the motion made by *Posthumius* was unjust with regard to the persons concerned in the Treaty, but that it was by no means sufficient to discharge the demands which the *SAMNITES* had upon Rome; and that, as to themselves, they were *Sacrosanct* Magistrates, inviolable, and not to be delivered up to the enemy. To the last of these pleas *Posthumius* replied, That the Senate might defer the delivering up of the *Tribunes* till their Holiness were out of Office, and then (if his advice might be followed)

cause

Year of
R O M E
ccccxxxiii
Bef. J. C.
Three
hundred
nineteen.
f34th
Consul-
ship.
Livy, B. 9.
C. 10.

cause them to be beaten with rods in the publick Forum, by way of Usury for the delay. But as to himself, and the rest of the *Profane* Officers concerned in the Treaty, he pressed the immediate execution of his proposal; and he offered such plausible arguments to prove the invalidity of the *Caudine* Convention, and the sufficiency of the satisfaction designed for the *Samnites*, that the Senate, whether, convinced or not, were universally pleased with his discourse, and acquiesced in his project. Nay, the two Tribunes themselves, who had at first opposed it, consented at length to follow the fate of their companions, and to that end abdicated their office.

• *Posthumius's* proposal was no sooner passed into a decree of the Senate, but it dispelled that cloud of sorrow, with which the *Romans* had been covered ever since the misfortune of *Caudium*; it seemed to them like the breaking out of the sun upon the city after a total eclipse. Nothing was talked of but the generosity of *Posthumius*, whose *Devotement* they compared to that of *Decius*; and the *Roman* youth were so animated, that there needed no orders to raise Troops; a new army was formed almost wholly of *Voluntiers*, and the *Caudine Legions* were again enrolled. As soon as these forces came near the enemy's camp, preparations were made for surrendering up the *Roman* Officers in due form by a *Fecialis*. *Cornelius Arvina* was the person appointed for this purpose; who, having conducted the Prisoners bound into *Pontius's* presence, addressed himself to him in the following words: *Since these men undertook without any commission to conclude a Treaty of peace with you, and committed a crime in so doing, we deliver them up to you, in order to free ourselves from any share in the punishment which they alone have deserved.* The *Fecialis* had scarce uttered these words when *Posthumius*, as if offended with what he had said, gave him a hard blow on the thigh with his knee, and looking sternly at him, *I am now*, said he, *a Samnite, and you an Ambassador of Rome: I have therefore by this blow violated the Law of Nations, and you are thereby authorised to make war upon us.* But, this little low artifice served only to raise the indignation of the *Samnite* General, and make him despise the author of it. He laid before *Posthumius* and the *Fecialis* the injustice and baseness of their proceedings. He told them, that if the *Roman* People would preserve their honour untainted, and maintain the rules of equity, they must either perform the conditions of the Treaty, or send the *Roman* army again into the *Caudine Forks*. And, as to *Posthumius's* behaviour to the *Fecialis*, he thus expostulated: *Will you be able to impose on the Gods by these thin disguises? Will they take Posthumius for a Samnite, and consider the blow he has given, as an insult offered to the Roman People by a Samnite? Is it thus that you sport with Religion and the Faith of Treaties? Are such ludicrous transactions becoming the Gravity of a Consul, and the Dignity of a Great Nation? Licitors, untie the Prisoners, and leave them free to go where they please.* And thus the *Romans* were dismissed.

Year of ROM E §. III. BUT now the *Samnites* repented too late of their not having hearkened to the wise counsels of old *Herennius*; they had a foreboding, cccxxxiii. says *Livy*, of the misfortunes that afterwards befel them; while the *Romans*, on the other hand, looked upon the liberty they had obtained of Three hundred making war as equal to victory. Not long after, the inhabitants of *Samnium* joined with a body of *Samnites*, who surpris'd *Fregellæ*, a Roman Colony, in the night, and, having by a promise of quarter engaged the greater part of the inhabitants to lay down their arms, burnt them afterwards alive. *Capua* likewise at this time prepared for a revolt; the chief Citizens entered into a plot to shake off the *Roman* yoke. This, with some other alarms, induced the Republick to name a *Dictator*, the *Consuls* being employed in the war. *C. Mænius* was chosen to that dignity, and he appointed *M. Fostius* to be his General of Horse. The new *Dictator's* commission extended only to the making inquiry into state Crimes, and punishing them. And there needed no more to put a stop to the revolt of *Capua*; for the terror of a judge from whom there lay no appeal became so great throughout all *Campania*, that the heads of the conspiracy killed themselves to avoid punishment.

134th
Consul-
ship.
Livy, B.
9. c. 12.
c. 26.

After this, the *Dictator* pretending that the powers given him by his commission were not confined to the taking cognizance of traitorous persons and practices at *Capua* only, but extended to the cognizance of all conspirators and conspiracies whatsoever and wheresoever against the *Roman* State; and pretending farther that all intriguing and canvassing for offices was a kind of Treason against the Commonwealth; he cited several of the *Patricians* to appear before him on accusations of that kind. The accused, having no other resource, called upon the *Tribunes* to interpose their negative, and put a stop to the prosecution; but not one of them would interfere in the matter. Hereupon the whole body of the Nobles took the alarm. They exclaimed in all places, that the *Patricians*, to whom, being nobly born, the way (if not obstructed by indirect practices) was naturally open and easy to all Honours and Dignities, were not the persons on whom this crime should be charged; but certain upstart Gentlemen, such as the *Dictator* himself and his *Master of the Horse*, who indeed ought rather to be prosecuted themselves, than sit as judges of other men; and they threatened that they would make the two inquisitors know this, so soon as their Magistracy should be expired.

Mænius, though free from guilt, yet fearing lest his reputation should suffer by the calumny, assembled the People, and laid before them the uprightness of his intentions and the impartiality of his conduct; and then, to give them a farther proof of his innocence, abdicated the *Dictatorship*, that he might be brought to a trial. *Fostius* also, for the like purpose, resigned his office at the same time. The Senate, by a special commission, appointed the *Consuls* of the year (probably recalled to *Rome* on this occasion)

occasion) to be their judges; who, having heard the witnesses, and fully examined the affair, honourably acquitted the accused.

This kind of inquisition descended afterwards to men of less distinction, and in a short time was intirely stopt by force of those very intrigues and cabals against which it was levelled.

Year of
R O M E
ccccxxviii.
Bef. J. C.
Three
hundred
nineteen.

* The account which has been given of MÆNIUS's affair is taken from *Livy*, who adds, that PUBLILIUS also was soon after brought to a trial on the same sort of occasion, and acquitted; but then *Livy* rejects both these trials to the year 439, when Mænius was indeed Dictator, according to the *Capitoline Marbles*, but Publius was not Consul.

If Publius stood his trial the same year that he was Consul, we must suppose that he also, as the *Jesuits Catrou and Rouille* have well observed, abdicated his office in order thereto. These learned Fathers conjecture that this was the case, and that Papirius, being thereby left sole Consul, named to the Dictatorship L. Cornelius Lentulus, who appointed Papirius to be his General of the Horse, intending to be governed in all difficulties by his advice, as the ablest man in all the Commonwealth to conduct the present war: and what confirms the opinion, that the war was conducted by PAPIRIUS this year in quality only of Master of the Horse, is, that he had no TRIUMPH for his conquests.

What induces the *Jesuits* (who have been followed in the Text) to place the trial of

Mænius in the year 433, is not the authority only of the *Capitoline Marbles* (which make Mænius Dictator this year) but a passage of *Livy* * himself, who in the year 443 makes Sempronius the Tribune speak of MÆNIUS being created Dictator, to inquire into State Crimes, and of his abdication in order to stand his own Trial, as things which had happened within ten years: an expression which he probably would not have used, if those events had happened four years before.

It is indeed very difficult to reconcile the *Capitoline Marbles* with *Livy*, who seems to be at a loss in this part of the History, and to have made some confusion of times and events, not distinguishing the several Dictatorships of Mænius as they are marked on those Marbles.

The Marbles give us three Dictators this year, C. Mænius, L. Cornelius, and T. Manlius. *Livy* mentions only the second, and in this manner; though he ascribes the exploits of the campaign, we are going to enter upon, to Papirius and Publius, the Consuls of the year, yet he owns that the thing is doubtful, and that some give those exploits to L. Cornelius created Dictator, and Papirius Curfor his Master of the Horse.

Livy, B. 9. c. 34.

C H A P XV.

§. I. *The Romans give the Samnites a great overthrow, and take from them Luceria in Apulia; §. II. And Ferentum; and recover Satricum. The character of Papirius Curfor. §. III. A two years Truce is granted to some Cities of Samnium. The Roman arms prosper in Apulia. Campania is turned into a Roman Præfecture. Two new Tribes are formed, which make the whole number thirty-one. §. IV. All Apulia is subdued. Antium receives laws from Rome for its future government. Saticula, a Campanian City, and Sora (in the country of the Volsci) both in alliance with the Samnites, are taken by the Romans. §. V. The Cruelty of the Romans towards three Cities of the Aufones. The Samnite war continues.*

Year of
R O M E
cccccxxxiii
Bef. J. C.
Three
hundred
nineteen.

134th
Consul-
ship.
Livy, B.
9. c. 12.

c. 13.

c. 14.

§. I. **I**T seems highly probable from some passages of *Livy*, joined with the authority of the *Capitoline Marbles*, that the operations of the campaign were this year governed by *Papirius Cursor*, not in quality of *Consul*, and Colleague to *Publius*, but of *General of the Horse* to *L. Cornelius Lentulus*, created *Dictator*.

The chief view of the *Roman* Generals being to rescue the 600 *Knights*, who had been delivered up to the *Samnites* as hostages, they to that end divided their forces. *Cornelius* put himself at the head of the same troops that had passed under the *Yoke*, and led them against the victorious *Caudine* Legions of the *Samnites*. *Papirius* marched towards *Luceria* in *Apulia*, where the *Roman* hostages were kept prisoners. *Pontius* the *Samnite* General was for some time in suspense, whether to march to the relief of *Luceria*, or stay to make head against the *Dictator*. He feared that, if he marched, the enemy would fall upon his rear; and that, if he did not march, *Luceria* would be lost. His resolution at length was to put all to the hazard of a battle. The *Dictator* no sooner perceived the intention of the enemy, but he assembled his soldiers, and would have exhorted them, as was usual on such occasions, to behave themselves with the courage becoming *Romans*; but he found his harangue to be intirely needless. The soldiers, mindful of their late disgrace, were so eager to fight, that they gave no attention to him; with one voice they all cried out, *To Battle*. When they drew near the *Samnites*, they pressed their *Ensigns* to march faster, and, being spirited by revenge to a degree of fury, rushed upon the enemy without observing their usual order, or waiting the command of their General. Nothing could stand before them; the *Samnites* were routed, and their camp taken and plundered.

On the other hand *Papirius* having entered *Apulia*, and being assisted by the people of *Arpi* (old enemies of the *Samnites*, their neighbours) had laid siege to *Luceria*, but was so straitened by the difficulty of getting provisions, that the arrival of the victorious army at his camp proved very seasonable. The *Dictator* dispersed his *Legions* about the country, intercepted the convoys that were going to the besieged, and facilitated the bringing of provisions to the camp of *Papirius*. The *Samnites*, who had likewise an army incamped near *Luceria*, finding that the place could not hold out long, resolved to give the besiegers battle. Every thing was getting ready on both sides for a general action, when Ambassadors arrived from *Tarentum*, to put a stop to all hostilities by their mediation; and they threatened to declare themselves against whichever party should persist in carrying on the war. *Papirius*, pretending to listen seriously to what they said, told them, that he would consult the *Dictator*; and accordingly he did so, but it was only on the measures to be taken in the engagement, for which he instantly prepared. While the *Romans* were sacrificing, as was customary before a battle, the *Tarentine* Ambassadors came for their answer. The *Chickens*, cried *Papirius feed perfectly well; so the Keeper of them tells us. The Gods too are much pleased with our Sacrifices: under their protection therefore we are going*

to fight, as you perceive. He then led his troops out of the camp, ridiculing the vanity of a little insignificant People, who would needs make themselves mediators of a peace between two powerful nations, when at the same time *Tarentum* could hardly support itself under its own intestine divisions.

But now the *Samnites* absolutely declined the fight, alledging that *Papirius* had deceived them by false hopes of an accommodation, and declaring that out of respect to the *Tarentines* they would keep themselves upon the defensive within their camp. This timorousness of the enemy encouraged the *Romans* to attack them in their intrenchments, which they did with so much success, and with such a spirit of vengeance, that scarce any of the *Samnites* would have escaped the slaughter, if the *Roman* Generals had not restrained the fury of their troops, in regard to the six hundred *Knights* in *Luceria* whom the besieged might, perhaps in revenge and despair, put to death. The Town being sorely distressed by famine, the garrison sent an offer to release the six hundred Hostages, on condition that the *Romans* would raise the siege. *Papirius* told the Deputies who came to him with this proposal, that they should have consulted *Pontius* about the treatment proper to be expected by the vanquished; and peremptorily insisted, that all the soldiers in the place, to the number of 7000, should be unarmed, and with only one garment each, pass under the Yoke, and *Pontius*, who had thrown himself into the Town, at the head of them. These conditions were accepted; and thus the *Romans* retaliated the ignominy they had undergone at the *Caudine Forks* and recovered their hostages.

§. II. AFTER the return of *Papirius* with the army to *Rome*, *Cornelius* laid down his Dictatorship, and another Dictator, *T. Manlius*, was chosen (as it seems probable) only to hold the Centuriate *Comitia*, where *Papirius* * *Cursor* was again raised to the Consulate, and *Q. Aulius* † *Cerretanus* given him for a Colleague. The latter defeated the *Ferentani* in *Apulia*, and took their City, *Ferentum*. The former reduced *Satricum*, a City of *Latium*, which, as we have before observed, had gone over to the *Samnites*, though its inhabitants had obtained the privileges of *Roman Citizens*.

The *Satricans*, as soon as the *Roman* army appeared before the walls, sent out a Deputation to sue for Peace. *Papirius* refused to grant it, unless they would kill all the *Samnite* garrison, or deliver them alive into his hands. And, when they expostulated with him, asking, How it was possible for them, who were but weak and unarmed, to master a garrison armed and strong? he bid them advise with those by whose counsel they had received that garrison into the Town. The *Satrican* Senate, upon the report of this answer from the Consul were divided in opinion what measures to take, one part consisting of those who had counselled the revolt to the *Samnites*, the other of the adherents of *Rome*. It happened that the garrison, for want of provisions to hold out a siege, had resolved to march away the night following. That faction therefore which had called the

Samnites

Year of
R O M E
ccccxxiii
Bef. J. C.

Three
hundred
nineteen.

134th
Consul-
ship.

Livy B. 9.
c. 15.

Oros. B. 3.
c. 15 and
others.

* A 3d
time.

† A 2d
time.

Year of
R O M E
ccccxxiv

Bef. J. C.
Three
hundred
eighteen.

135th
Consul-
ship.

Livy, B.
9. c. 10.

Year of R O M E cccxxxiv. Bef. J. C. Three hundred eighteen. 135th Consulship.

Samnites in, thought it fufficient to give the *Consul* notice, at what hour they would begin to move, through what gate they were to pafs, and what road they were to take; but the other party, not content with this, opened another gate to the *Romans* at the fame hour; fo that the *Samnite* garrifon were furprifed, and cut to pieces, and the town feized the fame instant. *Papirius*, after an inquisition by torture concerning the chief authors of the revolt, caufed the moft guilty to be fcoutged and beheaded, difarmed all the *Satricans*, and placed a ftrong body of troops in the place.

For this conquest *Papirius*, at his return to *Rome*, had the honour of a Triumph, which had not been granted him for his more important exploits the year before, (probably) becaufe he had acted under the *Aufpices* of a fuperior Magiftrate.

Livy, B. 9. c. 16.

This *Papirius* is the man whom *Livy* represents as a Hero, who would have been a match for *Alexander the Great*, had that Conqueror turned his arms Weftward, and come into *Italy*. He was no lefs remarkable for his vigour of mind, military fkill and courage, than for his ftrength of body, and wonderful agility in running, which got him the furname of *Curfor*: and whether it were owing to his robuft conftitution, or continual exercife, no-body eat or dr. ink more than he; but he was alfo indefatigable in war, fharing the fevereft toils of it without hurting his health. Never had the *Roman* Horfe or Foot a General that kept them to harder fervice. 'Tis reported of him that, his Cavalry having taken the freedom to defire a little relaxation from their fatigues, after an expedition which had been fuccefsful, he answered, *Yes, by all means; when you alight from your Horfes, I excuse you from the trouble of ftroaking their backs*. *Papirius*, fo fevere in point of difcipline, was naturally facetious, but not very gentle even in his jefts. Walking one day before the door of his tent, while he was *Dictator*, he ordered a certain *Prætor* of *Prænefte*, who in battle had behaved himfelf shamefully, to be called, and, as foon as he appeared, bid the *Lictor* prepare his *Ax*: When he faw the poor *Præneftine* ready to die with fear at the found of thofe words, he prefently added, *Dispatch, Lictor, cut away this fump of a tree that fpoils my walk*: After which he only fined the *Prætor*, and difmiffed him. Such was the character of the renowned *Papirius*.

Aurelius Victor de Viris Illustribus, c. 31.

Year of R O M E cccxxxv. Bef. J. C. Three hundred feventeen.

§. III. IN the following *Consulship* of *L. Plautius Venno* and *M. Feflius Flaccinator*, many of the *Samnite* Cities fent Deputies to the *Roman* Senate to ask Peace; but thefe being referred to the People in *Comitia* (where the *Caudine* Legions doubtlefs made a part of the afsembly) the *Samnites* could obtain, by urgent intreaties, no more than a two years Truce.

And now the terror, fpread throughout *Apulia* by the *Roman* army, which *Plautius* conducted thither, was fo great that the two Cities of *Teanum*, and *Canusum* furrendered, to avoid being pillaged. *Capua* likewife being fo divided by intestine feditions, as to be no longer in a condition to govern herfelf, defired the *Romans* to give her a Governor and

new

new Laws ; and it was at this time that the *Romans* first turned *Campania* into a *Præfecture**, and sent thither a *Præfess*.

It was perhaps to make the *Campanians* some sort of amends for their liberty, which they had voluntarily given up, or rather to keep them to their duty, that a new *Roman Tribe* was formed in their country. It was called the *Falernian Tribe*, doubtless from the hill *Falernus*; this Tribe possessing the delightful plain which surrounded that hill. Another Tribe was also established on the borders of the *Ufens*, and was therefore called *Tribus Ufentina*. So that the *Romans* had now thirty-one Tribes, all which had a right of suffrage in the *Comitia by Tribes*.

By a *Census* taken this year, the number of men in *Rome* fit to bear arms appeared to be two hundred and fifty thousand.

§. IV. THIS happy war was followed by another as prosperous, under the administration of *Q. Æmilius Barbula* and *C. Junius Brutus*, who subdued and quieted *Apulia*. *Antium* followed the example of *Capua*, in asking a Governor and Laws from *Rome*. But this City was not made a *Roman Præfecture*, nor did she receive laws from a single Magistrate sent thither for that purpose. The care of making the laws by which the Magistrates were to govern was left to the Patrons of the Colony. It was then customary not only for private families, but likewise for Cities and afterwards for Provinces to have their Patrons, who were often of the principal Nobility of *Rome*. The Patrons of the *Municipia* were generally of the families of those *Consuls* who had conquered them ; and the Protectors of the *Colomes* were the children of those who had received the commission to plant them.

The succeeding *Consuls*, *Sp. Nautius* and *M. Popilius*, were scarce entered upon their office, when the Republick, either from a distrust of their abilities, or for some other reason unknown, obliged them to nominate a Dictator to carry on the war. They named *L. Æmilius*, who immediately put himself at the head of the *Legions*. He invested *Saticula*, a City of *Campania*, in alliance with the *Samnites*, and defeated the *Samnite* army that came to relieve it ; but his Dictatorship expired before he could take the place. The *Samnites*, not hoping to defend it, laid siege to *Plifia*.

The *Romans* had now got such a habit of suffering none but Dictators to command their armies, that, tho' the famous *Papirius* * *Cursor* and Pub-

* All the Cities which the Republick subdued were not upon the same foot. Some were called *Colonies*, some *Municipia*, and some *Præfectures*.

The *Colonies* chose their Governors out of their own inhabitants, and, tho' subject to the *Roman* People, were a kind of petty Republicks, modelled after the plan of *Rome*.

The *Municipia* kept their old laws, and the customs they had among them, before they became *Roman*.

The *Præfectures* were in a worse condition than either the *Colonies* or *Municipia*. The

Præfess, who were sent to them annually from *Rome*, had a power of changing their laws, and wholly swallowed up the authority of the other Magistrates. Some of these *Præfess* were chosen by the *Roman* People ; and others received their commissions from the *Prætor of Rome*, and were, properly speaking, no more than his substitutes in the Provinces. The discord among the *Campanians* gave the first occasion to the institution of *Præfess*. And afterwards the *Romans* time established this form of Government in several parts of *Italy*. C. & R.

Year of
R O M E
ccccxxv
Bef. J. C.
Three
hundred
seventeen.
136th
Consul-
ship.
Fast. Ca-
pit.
Livy, B.
9. c. 19.
Year of
R O M E
ccccxxvi
Bef. J. C.
Three
hundred
sixteen.
137th
Consul-
ship.
Liv. B. 9.
c. 20.
Year of
R O M E
ccccxxvii
Bef. J. C.
Three
hundred
fifteen.
138th
Consul-
ship.
Year of
R O M E
ccccxxviii
Bef. J. C.
Three
hundred
fourteen.
139th
Consul-
ship.
A 4th
time.
Fast. Ca-
pit.

Year of *lilius Philo* * were chosen *Consuls* for the following year, we find *Q. Fabius*
 R O M E *Maximus*, who had been formerly General of the Horse to *Papirius*, and
 ccccxviii. ever since his implacable enemy, raised at this time to the *Dictatorship*, and
 Bef. J. C. commissioned to carry on the siege of *Saticula*. While he was making
 Three his attack, the *Samnites* came from before *Plifia*, and their cavalry in-
 hundred sulted the *Roman* camp, in which he had left his Cavalry under the com-
 fourteen. mand of *Aulus Cerretanus*, his General of the Horse. *Aulus*, without
 139th consulting the *Dictator*, sallied out with the *Roman* Knights, and, having
 Consul- discovered the General of the *Samnites*, rushed on him, and laid him dead
 ship. with the first push of his lance; but, having penetrated too far into the
 * A 4th enemy's squadrons, he could not retire; and the *Samnites* gave their Ge-
 time. neral's brother the glory of revenging his death: He dismounted *Aulus*,
 Livy, B. and then stabbed him as he lay upon the ground. Hereupon the *Roman*
 9. c. 22. *Knights* alighted from their horses, to recover their General's dead body;
 the *Samnite* cavalry did the same, and a battle was fought between them
 on foot, in which the *Romans* prevailed. The *Samnites* returned to the
 siege of *Plifia* † (a City in alliance with the *Romans*) and took it by
 assault.

† The si- In the mean time *Saticula* capitulated, and then the *Dictator* marched
 tuation of this place is unknown
 Livy B. 9. c. 23. to besiege *Sora*, on the banks of the *Liris*, in the country of the *Volsci*.
 The *Sorans* had gone over to the *Samnites*, having first massacred a *Roman*
Colony which had been settled in their city. To defend this place the *Sam-*
nites followed the *Dictator* with all expedition. When *Æmilius* understood
 that they were not far behind him, he faced about, marched to meet them,
 and came to an engagement with them near the narrow pass of *Lautulae*.
 The success of the battle was doubtful, night put an end to it, and both
 armies continued their march towards *Sora*.

And now the *Dictator* chose a new General of the Horse, *L. Fabius*, a
 kinsman of his own, to succeed *Aulus*. He ordered him to go to *Rome*,
 fetch thence some fresh levies, conceal his march from the enemy, and,
 when he had posted his men in some secure place near *Sora*, to wait the
 signal for moving. This was no sooner executed, than the *Dictator* pre-
 tended fear, and kept close within his intrenchments, in hopes thereby to
 draw the *Samnite* army near his camp; and it did not fail to have the de-
 sired effect. Then on a sudden giving the signal for battle, he sallied out
 of his intrenchments, without letting the soldiers know the succours he had
 in readiness. They imagined it was some great distress, which made their
 General so suddenly change his resolution; and he confirmed them in this
 opinion, by telling them that *their case was such, that they must either con-*
quer or perish: That he had ordered fire to be set to their tents and baggage,
but that they might soon make up the loss by the plunder of the rebellious cities.
 However, his private orders were to set fire only to those tents which were
 next the ramparts, and this was to be the signal for the General of the Horse
 to move to his assistance, and fall upon the enemy in the rear. Every thing
 was executed with wonderful harmony, and by this stratagem the *Samnites*
 were intirely defeated, and their camp plundered; and the *Roman* soldiers
 had

had the farther joy of finding at their return to their own camp, that their tents and baggage were not burnt.

After this the *Dictator* laid siege to *Sora*, and the siege was continued by his successors in the command of the army, *M. Poetelius Libo* and *C. Sulpicius * Longus*, the new *Consuls*. They pitched their camp almost close to the walls of the Town. While they were deliberating and in doubt in what part to make their attacks, a deserter from the besieged suggested to them a stratagem for getting possession of the place. What he proposed appeared to the *Consuls* practicable; and, in order to its execution, they, by the advice of the deserter, removed their camp to the distance of six miles from the Place: to the end that this might throw the garrison into carelessness and security. Next night the deserter, having posted some cohorts near the town, in a woody spot, where they could lie concealed, stole with ten chosen *Roman* soldiers into the citadel. Then placing his men in a narrow steep path, that led from the Citadel to the Town, and where they might easily defend themselves against a great multitude, he hastily ran down into the Town, crying out, *To arms, to arms, the enemy are in possession of the fortrefs*. A fright seized the inhabitants; and in their haste to escape they broke down the gates. The *Roman* cohorts, roused by the noise, rushed in at one of them, putting all they found in the streets to the sword. In the morning by day-break the *Consul*, with his army, entered the Town, already in the possession of the *Roman* cohorts. Two hundred and twenty-five of the prisoners, who had been the chief authors of the revolt, and of the massacre of the *Roman Colony* there settled, he sent to *Rome*, where they were first beaten with rods and then beheaded.

§. V. THE reduction of *Sora* was followed by the surprising of three Cities of the *Aufones* (*Aufona*, *Minturnæ*, and *Vescia*) on the same day and at the same hour. The *Romans* seized these places, and barbarously massacred all the inhabitants, merely upon an accusation (without proof) brought to the *Consuls* by twelve traitors of the nation, of their having formed a design to revolt. But *Livy* tells us, that this barbarity was owing to the absence of the Generals when the Towns were seized.

Luceria, which had rebelled, being taken by assault, not only the *Samnite* garrison, but the Citizens were put to the sword, and a *Colony* of two thousand five hundred men sent thither from *Rome*, to secure it for the future against all attempts.

Notwithstanding all these examples of severity, the restless *Campanians* prepared once more to shake off the *Roman* yoke; so that the Republick thought fit to name a Dictator^a, *C. Menius*, to go with an army into their country, and keep them in awe. In the mean time the Consul *Sulpicius* appeared with his army near *Caudium*, where the *Samnites* had drawn together a great body of troops, and were waiting for the insurrection of the *Campanians*, who they hoped would join them. The two armies came

Year of
R O M E
ccccxxxix.
Bef. J. C.
Three
hundred
thirteen.

149th
Consul-
ship.
* A 3d
time.
Livy, B.
9. c. 24.

c. 26.

Fast. Ca-
pit.
Liv. B.
9. c. 27.

^a See the Note at the end of Chapter xiv.

Year of R O M E to an engagement, in which the *Samnites* lost thirty thousand men killed or taken ^a. And the conqueror marched his army to *Bovianum*, one of the principal Cities, if not the Capital of *Samnium*, and passed the winter before it.

^{ccccxli.}
Bef. J. C. Three hundred twelve.
141st Consulship.
Fast. Capit. Livy, B. 9. c. 28.
L. Papirius Cursor (a fifth time) and *C. Junius Brutus* (a 2d time, were now raised to the *Consulate*: but soon after, for what reason is unknown, the *Fathers* ordered a *Dictator* to be created. The nomination fell upon *C. Poetelius Libo*, and he was appointed to command the forces. He repaired to the camp near *Bovianum*, and in a short time quitted that post to retake *Fregellæ* from the enemy. They evacuated the place without standing a siege, and then the *Dictator* appeared before *Nola*, a City of *Campania*, which he quickly reduced, together with *Atina* and *Calatia*, both in the same province. This year the *Romans* planted a Colony at *Suessa*, a city of the *Aurunci*; and another in *Pontia*, an island which the *Volsci* had inhabited, and which lay within sight of their coast. And the Senate passed a Decree for planting a Colony at *Interamna* and *Casinum*.

Year of R O M E carrying on the war against the *Samnites*, and *P. Decius Mus*, the other, was lying sick at *Rome*, the Senate received advice, that the *Hetrurians* threatened the Republick with an invasion, upon which they ordered *Decius* to name a *Dictator* ^b. *C. Sulpicius Longus*, being promoted to that dignity, raised a powerful army, and made all the preparations which the apprehension of a war with so populous a nation and so near a neighbour required. Nevertheless he was not in haste to enter upon action; he kept himself upon the defensive, and waited till the *Hetrurians* should begin the hostilities; and this moderation had the effect he desired. The *Hetrurians* upon farther reflections suspended their design, and continued quiet within their own bounds.

^a *Livy* gives the Consul *Poetelius* a share in this victory.

^b According to *Livy*, *C. Junius Bubulcus* was named *Dictator*; but according to the *Fast. Cap. Junius* was General of the Horse to *Sulpicius*.

C H A P. XVI.

§. I. *Appius Claudius*, one of the *Censors* of *Rome*, admits the *Sons* of *Freed Men* into the Senate. The People reform this abuse the next year, and make some new regulations. §. II. *Rome* has war with the *Hetrurians* and *Samnites*. §. III. *Appius* obstinately refuses to quit his office, though his eighteen months (the legal time for its duration) are expired. He is prosecuted before the People.

Pomponius de Origine Juris. §. I. **T**HE domestick tranquillity of the Republick was at this time a little disturbed by *Appius Claudius*, one of the *Censors*. He was an able Lawyer, and an Oracle among the *Romans* in all knotty points of law, but a lover of innovations, taking great delight in overturning the most

most ancient institutions, and in setting up for a Legislator. Hitherto none but *Patricians*, or the most considerable of the Commons, had been admitted into the Senate; but *Appius* introduced there the *Libertini*, i. e. the sons of those who had been slaves, and had obtained their liberty. Having thus debased the Senate, he attacked the Priesthood, which had always been confined to the Nobility. The oldest Priesthood in Rome was that belonging to the Altar, called *Ara Maxima*, erected by *Evander* to *Hercules*; it had been given at that very time to an old man of the *Aborigines*, named *Potitius*, and had continued ever since in his family. The *Censor* prevailed with the *Potitii*^a to resign this Priesthood to the Slaves belonging to the publick, and employed in the publick works.

But, if *Appius* thus brought a blemish on the Senate and Priesthood, he made his country amends by the useful works he undertook with success; particularly an Aqueduct seven miles long, whereby he supplied Rome with plenty of wholesome water, which it before wanted. He likewise made that famous road from Rome to Capua, which was called the *Appian Way*, and which *Julius Cæsar* afterwards continued from Capua to *Brundisium* on the *Adriatick*. It lasted intire above eight hundred years.

The succeeding *Consuls*, *C. Junius* * *Brutus* and *Q. Æmilius* † *Barbula*, were no sooner entered on their office, but they complained to the People in *Comitia* of *Appius*'s new list of Senators and cancelled it, so that the Senate resumed its former lustre. The people at the same time not only recovered an old privilege, but extended it farther than before: By a law in the year 391, the *Comitia* had assumed the privilege of chusing six out of twenty-four *Leginary Tribunes* in the *Consular* armies, consisting of four *Legions*. This privilege had been for some time past usurped from them by the *Consuls* and *Dictators*; but now it was decreed, that the People should, instead of six, name sixteen of the twenty-four *Tribunes*. At this time likewise the People, at the motion of *Decius Mus*, one of their *Tribunes*, appointed two ‡ officers to take care of the naval affairs of the Republick.

§. II. WHILST the *Romans* were employed in these regulations, their *Consuls* prepared to lead two armies^b into the field. It fell to *Brutus*'s

^a *Livy* (B. 9. c. 29.) speaks of a tradition, that the whole name of the *Potitii*, consisting of twelve families, in which were thirty persons at or past the age of puberty, perished within the year; a warning from the angry Gods not to attempt innovations in Religion: And that *Appius* also was struck blind some years after, as a punishment for his profaneness.

^b *Livy* tells us (B. 9. c. 30.) that, while the *Romans* were burthened with the care of two dangerous wars, an adventure happened too trifling to be mentioned in History, were it not for the relation it had to Reli-

gion. All the publick Pipers, or Players upon the Flute, ran away together on a sudden to *Tybur* in great dudgeon, because the *Censors* had forbid them to feast and carouse in the Temple of *Jupiter*, as they used to do; so that there was no-body to play during the pomp of the sacrifices. The Senate, with a pious concern, dispatched some Deputies to *Tybur*, who were to endeavour to prevail with the People of that place, that the Pipers might be sent back to Rome. The *Tyburtes*, not being able to win upon these fellows, by persuasion, to return, contrived, on occasion of some festival, to make

Year of
R O M E
ccccxli.
Bef. J. C.
Three
hundred
eleven..

142d
Consul-
ship.
D. Hal. B.
1. c. 40.
Val. Max.
B. 1. c. 1.
Livy B. 9.
c. 29.
Frontinus
de Aquæ-
ductis, B.
1.

Year of
R O M E
ccccxlii.
Bef. J. C.
Three
hundred
ten.

143d
Consul-
ship.
* A 3d
time.
† A 2d
time.
Livy, B.
9. c. 30.

‡ Duum-
viri Na-
lot vales.

Year of R O M E lot to carry on the war in *Samnium*, and to *Æmilius* to march against the *Hetrurians*, who had now begun hostilities. *Æmilius* found the *energy* ready to lay siege to *Sutrium*, a Town in alliance with the *Romans*, about thirty miles from *Rome*, and a fort of key to the *Roman State* on that side. The *Hetrurians*, trusting to their numbers, ventured a battle, and were defeated by the *Consul*, who obtained a Triumph at *Rome*. Nor was *Junius Brutus* less successful against the *Samnites*. He first took *Cluvia* by assault, and then *Bovianum*, the spoils of which he gave to his soldiers. And now the *Samnites*, no longer daring to contend with a *Consular* army in the open field, had recourse to artifice, and endeavoured to draw their enemies into new *Caudine Forks*. Between *Cumæ* and *Puteoli* in *Campania* was the forest of *Avernus*, so called from the lake *Avernus* in the middle of it, from whose sulphurous waters exhaled such a nauseous stream, that the birds which attempted to fly over it were believed to be suffocated by the exhalations. The Poets make it one of the vents of Hell. Into this forest, where the *Samnites* had posted great numbers of men, they allured the *Roman* Troops by the hopes of booty. But the *Romans*, upon the first discovery of the ambush, drew up in order with such expedition, and behaved themselves with so much resolution and bravery, that they defeated the enemy, and left 20,000 of them dead upon the spot.

Year of R O M E §. III. IN the following *Consulship* of *Q. Fabius* * and *C. Marcius Rutilus*, the tranquillity and concord at home, to which so much prosperity abroad was owing, was greatly disturbed by the ambition and obstinacy of the *Censor Appius*. In the year 319, a law had been passed, enacting, that no *Censor* should continue in his office longer than eighteen months: But *Appius* refused to comply with this regulation, and to resign the *Censorship* (tho' his Collegue did) at the expiration of his term, depending on the favour of the People, who were pleased with his *Aqueduct* and new Road. Nevertheless *Sempronius Sopbus*, one of the *Tribunes*, made no scruple to impeach him for this infraction of the *ÆMILIAN Law*. *Appius*, upon a summons, appearing before the *Assembly of the People*, the *Tribune* asked him, *how he would have behaved himself, had he been one of the Censors when that Law was passed?* To this *Appius* answered that his case was not the same with theirs, and that the Law in question bound only the *Censors* of that year. *Sempronius*, finding that nobody applauded this answer, immediately ordered him to prison. But then *Appius* appealed to the whole body of the *Tribunes*, of whom three took him under their protection, while the other seven were against him; and as no person could be condemned at their

make them all dead-drunk, and then sent them home in carts. When they awaked in the morning, they found themselves in the middle of the *Forum*. The People, who were got together about them, having prevailed upon them to stay, the privilege

of feasting in the Temple was restored to them, and a new one was granted them of strolling about the city three days every year in masquerade, piping and singing. This custom still prevailed in *Livy's* time.

Tribunal, unless they were all unanimous, he by this means escaped, and alone held the *Censorship* more than three years longer, contrary to the inclination of the Publick.

Year of
R O M E.
ccccxliii.
Bef. J. C.
Three
hundred
nine.

C H A P. XVII.

§. I. *The Consul Fabius defeats the Hetrurians. He penetrates into the Ciminian Forest, deemed impervious; after which he gives the enemy a second overthrow.* §. II. *The Roman arms have not equal success against the Samnites. The Senate orders Fabius to name Papirius Cursor (the man he most hates) to be Dictator to carry on that war.* §. III. *He continues (with the title of Proconsul) successfully to conduct the war against the Hetrurians.* §. IV. *The Dictator Papirius is no less successful against the Samnites. He returns to Rome, and retires for the rest of his life from publick business.* §. V. *The Samnites, assisted by the Marfi and Peligni, are defeated: The Hetrurians sue for an Alliance with Rome. The Romans subdue all Umbria.* §. VI. *They send an army against the Salentines. The HERNICI rebel and are subdued; and the SAMNITES are frequently defeated.* §. VII. *The Samnites request and obtain a renewal of their old alliance with Rome. The ÆQUI, who had lately rebelled, are totally subdued.*

144th
Consul-
ship.
Auth. de
Viris Il-
lustribus
c. 34.

§. I. **T**HIS intestine disturbance did not stop the progress of the Roman arms. Fabius marched against the Hetrurians, and defeated them near *Sutrium*. The run-aways took refuge in the *Ciminian Forest*, a forest, says *Livy*, more impassable and dreadful than those of *Germany*, and through which not even a single merchant had ever yet made his way. Fabius was almost the only man in the army who had the boldness to think of entering into it: they were afraid of finding *Caudine Forks* in *Hetruria*. The General had with him at this time a near relation, named *Cæso Fabius*, who had been educated at *Cære* in *Hetruria*, and spoke the language of the country perfectly well. *Cæso* undertook to examine the forest and the places about it. He was accompanied in this enterprise by only one servant, who, having been brought up with him, was also well acquainted with the *Tuscan* language. Before they set out, they took care to inform themselves of the names of the several Governors, and of the nature and situation of the places through which they were to pass, that in conversation they might not be discovered through their ignorance of any thing that was notorious to all the natives. They were clad in the habit of shepherds, bearing each a cleaving bill and two javelins after the manner of the peasants. But neither their dress, their arms, nor the familiar use of the language, was so good a security to them against a discovery, as the general notion that no stranger would dare to enter that forest. In this disguise they are said to have travelled

Livy B. 9.
c. 35, and
36.

as.

Year of as far as to *Camerinum* ^a in *Umbria*, where they discovered themselves to be
 R O M E Romans, treated with the Senate of the City in the name of the *Consul*, and
 ccccxliii. obtained a promise from them to furnish the *Roman* army with a reinforcement
 Bef. J C. of men, and with thirty days provision, in case it should come into
 Three hundred those parts.
 nine.

144th.
 Consul-
 ship.

Upon the report made by *Cæso* at his return, *Fabius*, when it grew dark, first sent away his baggage, and soon after his infantry, to enter the forest. He himself stayed in the camp with his cavalry, and early the next morning began to skirmish with the advanced guard of the *Hetrurians* that were posted without the wood. When by this means he had long enough amused the enemy, he retired into his camp, from whence he went out at another gate, and overtook his main army before night. The next morning by day-break he reached the top of the hill *Ciminus*, which was on the further side of the forest, and gave name to it: From hence he surveyed a while the fertile plains of *Hetruria*, and then sent out a detachment of soldiers, who not only brought off a great booty, but defeated a tumultuous army that had got together to rescue it out of their hands. After this the *Romans* returned to their camp near *Sutrium*, where they found two Tribunes of the People, with five Deputies from the Senate, dispatched expressly to forbid *Fabius* to enter the *Ciminian* Forest. These messengers were extremely pleased, that they had come too late to hinder an expedition which had succeeded so well. They returned to *Rome* with the joyful tidings, that a way was opened into *Hetruria*.

The detachment which *Fabius* had sent out to plunder, had alarmed all the country near the foot of the hill *Ciminus*, and even the people of *Umbria* on the confines of *Hetruria*, so that prodigious numbers of each
 Livy, B. nation took the field and came to the camp before *Sutrium*. And now
 2. c. 37. the *Hetrurians* not only brought their camp forward, but came out and drew up their forces in order of battle in the plain, leaving a space for the enemy to do the like. Finding that the *Romans* declined the fight, they advanced almost to their very trenches; and the soldiers cried out with one voice to their officers, that the remainder of their allowance of provision for that day might be brought to them, for they would stay there under arms; and attack the *Roman* camp either in the night or early the next morning. *Fabius*, to deceive the enemy, still pretended fear, and kept close within his intrenchments; but he bid his men refresh themselves, and be ready for action upon the first signal. To raise their courage, he made a short harangue to them, extolling to a high degree the exploits of the *Roman* arms in *Samnium*, and assuring them, that the *Hetrurians* were not soldiers comparable to the *Samnites* for strength or courage; to this he added some dark words, by which he made them believe he had a secret correspondence with the enemy's camp, and was sure of the victory. About

^a From *Sutrium*, whence *Cæso* had set out to *Camerinum* in *Umbria*, it was a two days journey.

the fourth watch of the night he drew up his army in order of battle with-
 in the intrenchments of the camp, caused the rampart to be levelled, and
 the ditch to be filled, and then marched out and surpris'd the enemy while
 half asleep, and lying scattered over the plain. Of the *Heirurians* were sixty
 thousand men slain or taken prisoners. Those who could escape fled into
 the wood. Their camp was seized and plundered. Some say, that this ac-
 tion happened in the country beyond the hill *Ciminus* near *Perusia*. Be-
 that as it will, three of the most considerable *Lucumonies*, after this over-
 throw, sent Deputies to *Rome* to sue for Peace; they obtained a Truce for
 thirty years.

Year of
 R O M E
 ccccxliii.
 Bef. J. C.
 Three
 hundred
 nine.
 144th
 Consul-
 ship.

•§. II. BUT the *Roman* arms under the conduct of the Consul *Marcus* *Livy*, B. 9.
 had not the like success against the *Samnites*, tho' he gained at first some
 advantages over them. The *Roman* fleet, commanded by *P. Cornelius*,
 met with misfortunes. This was the first fleet the *Romans* had ever put
 to sea. The Admiral made a descent at *Pompeii*, in *Campania*, and his
 troops, meeting with no opposition at first, were, by the eager desire of
 booty, carried farther into the country than was consistent with prudence,
 so that the inhabitants had time to get together, and they had the good
 fortune to intercept them in their return. They forced the *Romans* to
 relinquish their spoil; slew some of them, and chased those who escaped
 the sword to their ships.

This news, with a false report that *Fabius* had met with *Caudine Forks* in
 the *Ciminian* forest, revived the courage of the *Samnites*, and they gave
Marcus battle. Much blood was spilt in the action on both sides, and it
 was not known which had the advantage. Nevertheless, as fame gave it
 against the *Romans*, (because some of the knights, and of the *Tribunes of the*
Soldiers, and one of the Consul's lieutenants had been killed, and the Consul
 himself wounded) the Senate judged it necessary to create a *Dictator*; and
 nobody doubted but *Papirius* would be the man. How to get him nomi-
 nated was the question: For, whether *Marcus* were alive or not, no one at
Rome could tell; and the *Samnites* had guards upon all the roads that led to
 his Camp: And, as for *Fabius*, the other Consul, he had a private and perso-
 nal quarrel with *Papirius*. In this difficulty, the *Fathers* determined to send
 to *Fabius* some eminent members of their body, men of consular dignity,
 who to the publick authority should add the weight of their own, to en-
 gage him to suppress his resentments for the sake of his country. When
 the deputies, being arrived at his camp, had notified to him the Senate's
 decree, and had thereto added some discourse to the style of exhortation
 and intreaty to comply, he stood silent for a while, with his eyes fixed on
 the ground, and then withdrew without making any answer. At midnight
 (according to custom) he declared *Papirius* Dictator. Nevertheless, he
 plainly shewed the violence he had done to himself: For, when the deputies
 returned him thanks for mastering his resentment, he dismissed them with-
 out any reply, they could not draw one word from him.

We have a remarkable instance at this time of the excessive superstition
 of the *Romans*. *Papirius*, after his nomination to the Dictatorship, and
 after

Year of R O M E ccccxliii. Bef. J. C. Three hundred nine. 144th Consulship.

after he had appointed *C. Junius Bubulcus* to be his *Master of the Horse*, had recourse ^a (as seems to have been the custom in these days at least) to an assembly of the People by *Curia* to obtain his commission. If having fallen by lot to the *Curia* called *Faucia* to vote first, the assembly would not proceed in the matter, because to the same *Curia* had fallen the like *prerogative* in those unfortunate years, when *ROME* was taken by the *Gauls*, and the *Roman* Legions were surprised in the *Caudine Forks*. The business was put off to the next day, and then *Papirius* obtained his commission without any ominous circumstance.

Livy, B. 9 c. 39.

He marched away with an army which had been suddenly raised upon the alarm, formerly mentioned, of *Fabius's* danger in passing the *Ciminian* forest, and arrived at *Longula* on the frontiers of the *Volsci*, where *Marcus* delivered up to him the troops under his command. *Papirius* offered the *Samnites* battle, but they declined it; and for some days after both parties continued quiet in their camps.

Year of R O M E ccccxliv. Bef. J. C. Three hundred eight. Fall. Capit.

§. III. IN the mean time *Fabius*, who in quality of *Proconsul* had been continued at the head of the forces in *Hetruria*, not only put to flight without difficulty an army of *Umbrians*, but obtained a notable victory over the *Hetrurians*, who had assembled on the banks of a little lake called *Vadimonius* (near *Viterbo*) a more numerous and more courageous army than they had ever had before. All the soldiers of it were men who had chosen ^b one another to the service, and (as some think) made a vow to conquer or die. This is supposed to be the meaning of their *Lex sacra*, by which they were bound: whoever violated this oath might by any man be slain with impunity. Be that as it will, the extraordinary engagement, by which they had bound themselves, had such an effect upon them, that during the action the *Romans* could not believe that they were contending with the same people they had so often vanquished. The first line of the *Roman* army was cut to pieces, and the second repulsed; so that the *Proconsul* was obliged to bring his *Triarii* to the charge; nor was even this sufficient; it became necessary for the Cavalry to dismount, and go to the assistance of the Foot. But when the *Roman* Knights, who were quite fresh and in full strength, passing over heaps of slain, had placed themselves in the front of the battle, they made so furious an attack on the enemy, and were so well seconded by the Legionary Soldiers (tho' much fatigued) that the *Hetrurians* were soon broken, and their whole army put to flight. They lost the flower of their troops in this action.

Livy B. 9. c. 40.

§. IV. NOW was *Papirius* less successful against the *Samnites*, who, to give their soldiers more pride and spirit, had furnished them with finer arms and finer habits than usual. They divided their troops into two bodies, one of which they clothed in stuff of various colours, and pro-

^a Ei [Papirio] legem curiatam de imperio ferenti, triste omen diem dissidit, quod Fau-
cia curia fuit principium, duabus insignis
cladibus, captæ urbis & Caudinæ pacis:

quod utroque anno ejusdem curiæ fuerat
principium. *Livy*, B. 9. c. 38.

^b Lege sacrata coacto exercitu, quum vir
virum legisset. *Livy*, B. 9. c. 39.

vided with gilt bucklers; the other had silvered bucklers, and were clothed in white habits; and they had all crests to their helmets, to make them look taller. That this novelty might have no ill effect upon the Roman soldiers, their officers put them in mind, that the true dress of a soldier was a sword and courage; that gold and silver were of no use in battles, and made but an ugly figure when distained with blood, but would be a very good booty to enrich the conquerors.

Year of
R O M E
ccccxlii.
Ref. J. C.
Three
hundred
eight.

Papirius commanded the right wing of the Romans, which faced the many-coloured troops of the enemy; and his General of the Horse *Junius Brutus*, commanded the left, which faced their white battalions; *Brutus* cried out, as he advanced towards the enemy, *I devote these white men to Pluto*: His attack presently threw the *Samnites* into disorder, and they began to give ground; which *Papirius* observing, called out to the Romans of the right wing, *What! you have the Dictator at your head, and shall victory begin in the left?* While *Papirius* thus animated the Infantry of the right to make a vigorous charge, his two Lieutenants (both eminent men, who had been Consuls) *M. Valerius* (on the right) and *P. Decius* (on the left) quitted the Foot, and putting themselves at the head of the Cavalry, each on his own side, made a sudden and furious attack on the enemy's flanks. The *Samnites* finding themselves almost surrounded, a terror seized them, they instantly broke their ranks and fled to their camp; but their loss in the battle had been so great, that they durst not think of defending it. Before night it was taken and burnt.

144th
Consul-
ship.

The Dictator, after the victory, returned to Rome, and had a Triumph, of which the fine arms taken from the *Samnites* were the chief ornaments. They were afterwards delivered to the Goldsmiths company, to beautify the Roman Forum with them: And hence arose the custom of the *Ædiles* adorning the Forum, on those days when the images of the Gods were carried in procession through the streets of Rome in chariots.

The Triumph of the Proconsul *Fabius* followed that of the Dictator, and, though less splendid, was accompanied with more applause, because he had had no sharer in his glory; whereas the other had been much indebted for his success, not only to his General of the Horse, but to his two Lieutenants, *Valerius* and *Decius*.

§. V. *PAPIRIUS* was now grown old. He appeared no more in any publick station, but for the future left all the glory of heroical exploits to his rival *Q. Fabius*, who was now (the 3d time) with *P. Decius Mus* (the 2d time) raised to the Consulate. *Samnium* fell by lot to the former, and *Hetruria* to the latter. *Fabius* took *Nuceria*, [the last town in *Campania*, on the other side of mount *Vesuvius*,] from the *Samnites*, and defeated them afterwards in a battle, but a battle so inconsiderable, that it would not deserve notice in History, had it not presented the Republick with new enemies who had not before appeared. The *Marfi* and *Peligni*, two petty nations in the neighbourhood of *Samnium*, northward, had joined the *Samnites*, though with little benefit to their allies.

Year of
R O M E
ccccxlv.
Ref. J. C.
Three
hundred
seven.

145th
Consul-
ship.

Livy, B.
9. c. 41.

Year of R O M E ccccxlv. Bef. J. C. Three hundred. seven. As for *Decius*, he made such a happy progress in his province, that all *Hetruria* desired an alliance with *Rome*: But the Republick, having (doubtless) formed the design of conquering this country, granted the *Hetrurians* only a Truce for one year. Soon after the *Umbrians* assembled all their forces, and, being joined by great numbers of *Hetrurians*, they confidently boasted, that, leaving *Decius* behind them in *Hetruria*, they would march directly to *Rome*. This put both the *Consuls* in motion. *Decius* made long marches from *Hetruria*, and incamped his army in the *Pupinian* field, near the river *Anio*, about eight miles distant from *Rome*. But the enterprising *Fabius* no sooner received orders from the Senate (alarmed by the preparations of the *Umbrians*) than he quitted *Samnium*, crossed *Sabinia*, entered *Umbria*, and incamped in the very heart of the country near *Mevania*, on the banks of the *Clitumnus*. The *Umbrians* were terrified at his unexpected appearance among them; and, though they ventured to give battle, they behaved themselves like women in the action: The *Romans* hardly made use of their swords; they beat down the enemy with their bucklers alone, so that little blood was spilt; but the whole army were made prisoners, and the whole nation soon after submitted. After this *Fabius* returned to his camp in *Samnium*.

Year of R O M E ccccxvi. Bef. J. C. Three hundred six. §. VI. THE time being now come for a new election of *Consuls*, *Appius Claudius*, who had held the *Censorship* five years contrary to law, stood candidate for the *Consulate*, and obtained it. *L. Volumnius Flamma* was appointed his Collegue. *Appius* not being qualified for the command of armies, the Senate obliged him to stay in *Rome*; and, notwithstanding his opposition to it, continued *Fabius* in quality of *Proconsul*, and without any associate, in the command of the troops in *Samnium*, where he obtained a considerable victory over the enemy near *Alifæ*, on the banks of the *Vulturnus*. In the mean time *Volumnius* made war against the *Salentines*, in the extreme part of *Italy*, with good success, and for the first time spread the terror of the *Roman* name in those parts.

Fast. Capit. Year of R O M E ccccxlvii. Bef. J. C. Three hundred five. In the election of Magistrates for the following year, the *Romans* chose *Appius* to be *Prætor*, a post much better suited to his talents; and at the same time raised *Q. Marcius Tremulus* and *P. Cornelius Arvina* to the *Consulate*. The former was ordered to march against a body of *Hernici*, who had taken arms on account of the severe treatment which some of their countrymen (made prisoners in the last battle of the *Romans* with the *Samnites*) had suffered at *Rome*. The rebels lost three camps in a few days, and were forced to surrender at discretion. This war being ended, *Marcius* hastened to join his Collegue, who had suffered himself to be invested in narrow passes by the *Samnites*. The enemy, to prevent the uniting of the two armies, gave *Marcius* battle, while his troops were fatigued and in some disorder. The place where they attacked him being not far from the camp of *Cornelius*, the latter could hear the shouts of the combatants, and see the clouds of dust that they raised; judging therefore that his Collegue was engaged in fight with the enemy, he sallied out of his intrenchments, fell upon the *Samnites* in flank, broke through them, and

and made his way to their camp, which he found empty, and set fire to it. The sight of the fire totally discouraged them, so that they immediately dispersed themselves and fled, leaving thirty thousand men dead on the spot. But this action was no sooner over, than the Romans found themselves obliged to enter upon a new engagement with a body of fresh troops coming to reinforce the Samnite army. The success of this battle being the same with that of the preceding one, the Samnites were reduced to sue for peace. The Consuls referred their Deputies to the Senate and People of Rome.

Whilst Marcius and Cornelius were yet in the field, the time came for electing new Magistrates; so that a Dictator was named to preside in the Comitia by Centuries, who chose Posthumius Megellus and Tib. Minucius Consuls. Before they took possession of their office, the Senate determined the fate of the Hernici. Those of their cities that had continued faithful were allowed to chuse whether to live according to their ancient laws, or to have the right of Roman Citizenship, and they preferred the former. The rest were declared Roman Citizens, and obliged to be governed by Roman Laws, whether they liked it or not, yet without having the right of suffrage.

At this time Deputies arrived from Carthage, with a compliment and presents to the Republick; and some Historians say, that a third treaty was now made with the Carthaginians.

The new Consuls were both ordered into Samnium, each at the head of two Legions. Posthumius directed his march towards the city of Tifernum, and Minucius incamped in the neighbourhood of Bovianum. The first came to a battle with the Samnites, the success of which was equal on both sides; but he pretended to be worsted, retired the next night to the mountains, and there fortified himself in an advantageous place. The Samnites followed and incamped within two miles of him. Posthumius hereupon finished his intrenchments, with all expedition, and leaving a sufficient number of troops to guard them, marched out at midnight with the rest, and joined his Colleague, who lay in sight of another body of Samnites that waited for an opportunity to engage. Minucius, by the advice of Posthumius, advanced into the plain with only his two Legions, and offered the enemy battle. The victory was long disputed; but at length Posthumius appearing with his fresh troops, and falling suddenly upon the Samnites, whose strength was exhausted, the latter suffered a terrible slaughter. They lost one and twenty Ensigns. This action over, the two Consuls led their joint forces to Posthumius's camp, and thence fell upon that body of Samnites which was posted near it. This proved a bloodier battle than the former; Minucius was killed in it, and Statius Gellius, the Samnite General, taken prisoner. Victory declared for the Romans, who took twenty-six Ensigns from the enemy.

The People at Rome, on the news of Minucius's death, immediately appointed Fulvius Corvus to succeed him, and to finish the campaign,

Year of.
R O M E
ccccxvii.
Bef. J. C.
Three
hundred
five.
147th
Consul-
ship.

Livy, B.
9. 1. 44.

c. 43.

Year of
R O M E
ccccxlviii
Bef. J. C.
Three
hundred
four.

148th
Consul-
ship.

Liv. B. 9.
c. 44.

Year of which he did by reducing *Bovianum* and several other cities to surrender, R O M E for which he had a Triumph at his return home.

ccccxlix.

Bef. J. C.

Three

hundred

three.

149th

Consul-

ship.

Fast. Ca-

pit.

Livy, B.

9. c. 45.

§. VII. IN the beginning of the administration of the succeeding Consuls, *C. Sempronius Sophus* and *P. Sulpicius Saverrio*, the *Samnite* nation sent Deputies to *Rome* to desire a renewal of the ancient confederacy with the Republick: But the *Romans*, before they would grant this request, dispatched *Sulpicius* with an army into *Samnium*, to examine the sincerity of the *Samnites*, and discover their real sentiments. They received the Consul every-where with great marks of respect and friendship; and, upon his report of the seeming alteration in their dispositions, a new alliance was made with them on the old foot.

And now the Republick prepared to punish her old enemies the *Æqui*, who, notwithstanding the Treaty between them and *Rome*, had many times privately sent succours to the *Samnites*, and had of late openly espoused their cause, following the example of the *Hernici*. They had likewise returned this haughty answer to the *Roman Feciales*, who had been sent to them to demand satisfaction: *That they supposed it was only a trial, whether through the fear of a war they would suffer themselves to be made Roman Citizens; which, how desirable a thing it was, the Hernici had taught them; seeing those of that nation, who had been left free to chuse, had preferred their own Laws to Roman Citizenship; and those who had been compelled to be Roman Citizens looked upon it as a punishment.* War was therefore declared against the *Æqui*, and both the Consuls were ordered to enter their country. The long subjection and inaction of this people had enervated their courage, and untaught them Military Discipline. They assembled an army, but there was no order, no subordination among the soldiers, nor could they come to any agreement what measures to take. At length they all unanimously left their camp at midnight, and every one made the best of his way home. The Consuls, who the next morning drew up their troops with an intention to offer battle, were much surpris'd at the inaction of the enemy, and the silence that reigned in their camp. No advanced guards appeared, no centinels upon the ramparts. At first they suspected an ambush, and proceeded with caution; but, when they discovered the truth, resolv'd to lay siege to the Cities whither they had retreated. In fifty days the Consuls took forty-one Towns, most of which they razed or burnt, which intirely reduced the *Æqui*; and this rapid destruction spread such a terror among the neighbouring nations, that the *Marsi*, *Peligni*, *Ferentani*, and *Marrucini*, all sent to solicit an alliance with the Republick. Their request was granted.

C H A P. XVIII.

§. I. The renowned *Q. FABIUS*, being CENSOR this year, acquires the surname of *MAXIMUS*, for his reformation of an abuse introduced by *APPIUS*.

§. II. Colonies are sent to the Conquered Cities. The art of Painting is introduced

introduced at Rome by C. FABIVS, surnamed PICTOR. Cleonymus, son of Cleomenes King of Sparta, brings a fleet upon the coast of Italy, and makes two descents there. §. III. An insurrection of the Marfi is quelled. After a victory over the Hetrurians, a Truce is granted them, for two years.

§. I. **T**HIS success of the Roman arms abroad was followed by re- Year of
formations at home. The famous Q. Fabius Rullianus, being R O M E
this year (with P. Decius Mus) in the Censorship, employed his power to ccccxlix.
rectify an abuse introduced by Appius Claudius into the State. Appius, B. J. C.
as we have already * seen, to make himself Master in the Senate, had Three
brought the sons of Freed-men into it; but this novelty had not lasted hundred
above one year; his list of Senators was cancelled, and the old one took threg.
place. Not succeeding therefore in that enterprise, he, in order to go- 149th
vern the Elections in the Comitia, dispersed the Freed-men and the very Consul-
lees of the People, men wholly devoted to him, into all the Roman Tribes, ship.
and this occasioned endless broils in the Republick. It was owing to the * In the
same cause, that the Curule Ædileship fell this year into the hands of two year 441.
very mean persons, the one a native of Prænestæ, the other Cn. Flavius, Val. Max.
the grandson of a Freed-man, and whose first profession had been that of B. 2. c. 2.
a scribe ^a. Having by some means learnt the rules by which the Ponti- Aul. Gell.
fices settled the Term-days, or the days for hearing Causes, and such B. 6. c. 9.
other matters as were within their peculiar province, he composed a Ca- Livy, B.
lendar, transcribed it, and fixed it up in the Forum for the use of the 9. c. 46.
People ^b; who, being thereby freed from their dependance on the Ponti- Pomponi-
fices in this respect, rewarded him with several honourable employments, us de Ori-
to which they raised him successively, and at length with the Curule Ædile- gine Juris.
ship. The Nobles were so deeply affected with the indignity offered them Cicero
by this promotion of Flavius, that many of them laid aside their ornaments, pro Mu-
and particularly their Gold-Rings, as in a time of mourning. ræna, 11.
§. 6.

Fabius, to re-establish peace in Rome, and to hinder the great dignities from being bestowed on worthless men, reincorporated into the four City-Tribes those mean fellows whom Appius had taken thence, and dispersed among the Country-Tribes; so that for the future they could influence no more than four Tribes, and in these they were not the strongest: a reformation so agreeable to the Republick, that on this account alone the Romans gave Fabius the surname of Maximus, which he had not acquired by all his military exploits. It was perpetuated in his branch of the Fabian family.

^a Pliny (B. 33. c. 1. §. vi.) says, that Flavius had been scribe to Appius Claudius Cæcus, and, at his instigation, both made himself master of the secret (by artful inquiries) and published it.

^b Flavius published likewise what Livy calls, *Civile jus repositum in penetralibus pontificum*. See TAYLOR's Elements of Civil Law, p. 77-81, where this matter is satisfactorily explained.

Year of ROME ccccl. Bef. J. C. Three hundred two. In this *Censorship* likewise an ordinance was made, that the *Roman Knights* should every year on the *Ides of July* appear on horseback dressed in purple, and crowned with Olive, and march in procession from the Temple of *Mars* to the *Capitol*, [in honour of *Castor* and *Pollux* who fought for the *Romans* at the lake *Regillus*.]

150th Consulship. Vel. Pat. B. 1. Livy, B. 10. c. 1. §. II. THE Republick being now in peace with her neighbours, the year of the Consuls *S. Cornelius Lentulus* and *L. Genucius Aventinensis* was almost wholly spent in sending Colonies to the conquered Cities. To *Sora* 4000, to *Alba* (in the country of the *Æqui*) 6000 men were sent. The same year to the *Arpinates* and *Trebulani* were granted the privileges of *Roman* Citizens; but from the *Frusinates* was taken a third part of their land, because they had solicited the *Hernici* to make war on the *Romans*. The publick tranquillity suffered a short interruption by a gang of Robbers in *Umbria*, who ravaged the country far and near. Their retreat was a great cave with two entrances; and the *Romans*, having found them both, lighted great fires at them, so that some of the wretches (whose whole number amounted to two thousand) were stifled with the smoke, and the rest threw themselves into the flames.

Year of ROME ccccl. Bef. J. C. Three hundred one. 151st Consulship. Pliny, B. 35. c. 4. Val. Max. B. 8. c. 15. Livy, B. 10. c. 2. This expedition was followed by an inconsiderable war. In the beginning of the *Consulship* of *M. Livius Denter* and *M. Ænilius Paulus*, the *Æqui* took umbrage at the Colony of six thousand men which the Republick had lately sent to *Alba*, and they laid siege to that place. But *Junius Brutus*, whom the People named *Dictator* upon this occasion, marched against them, and by a speedy victory put an end to the war in eight days time. At his return home he dedicated to *The Goddess of Health* a Temple, which he had vowed when he was *Consul*, and of which he had laid the foundation when he was *Censor*. And this is the first time that History mentions the use of the art of Painting in *Rome*. *C. Fabius* (afterwards *Consul*) painted all the walls of the new Temple in *Fresco*, and thence got the surname of *Pictor*.

At this time *Cleonymus*, the son of *Cleomenes* King of *Sparta*, came with a great fleet on the coast of *Italy*, with design to make a settlement there, and he took *Thuriae* [anciently called *Sybaris*] a City of *Lucania*. Being driven thence by the *Romans* he made a second descent, in the place where *Venice* now stands. But, this expedition proving as unfortunate as the former, he returned to his own country, having lost four-fifths of his fleet.

Y. of R. 452. Bef. J. C. 300. Fast. Capit. §. III. THE following year the Republick had no *Consuls*, but was governed by two *Dictators*, one after another, each of whom fulfilled his six months. The first was *Fabius Maximus*. The revolt of the *Marfi* induced the *Romans* to put this eminent warrior at the head of their troops. He marched an army against them, and by one single victory quieted that insurrection. *Valerius Corvus*, who succeeded *Fabius*, was named to the *Dictatorship*, to conduct a war against the *Hetrurians*, in which the Republick was engaged by taking part in the civil broils of that people. But the *Roman Legions*, having entered *Hetruria*, were no sooner advanced within a small

a small distance of the enemy, than a religious scruple seized the *Dictator*. He called to mind that there had been some defect in the ceremony of his inauguration, upon which he straight returned to *Rome*, to renew the *Auspicia*. In his absence *Sempronius Sophus*, his General of the Horse, imprudently made an incursion into the country, fell into an ambush, and lost a great number of men, and some colours. The news of this defeat, which was much magnified, caused an extraordinary terror at *Rome*, and the *Dictator* hastened away with new levies to the camp. At his arrival he found things in a much better condition than had been reported. *Sempronius* had changed his post for a more safe and advantageous one; the *Manipuli*, who had lost their Colours, were impatiently waiting in great shame and disgrace without the camp (where they continued day and night without covering) for an opportunity to recover their honour, and the whole army desired nothing so much as a battle, that they might have their revenge. *Valerius*, seeing this good disposition of his troops, led them into the fields of *Ruffelle*, one of the twelve chief cities of *Heetruria*. The *Hetrurians*, flushed with their success, followed him, and endeavoured by a stratagem to surprise *Fulvius*, one of the *Dictator's* Lieutenant-Generals, who, with a detachment, had possessed himself of a fort at some distance from the *Roman* camp. Some *Hetrurian* officers, in the dress of shepherds, came with their flocks near the walls of the fort. This was a bait to draw the *Romans* out; a body of troops lay ready in ambush to fall upon them. *Fulvius*, discovering their artifice by their speech, which was more elegant than that of shepherds, bid some of his men call out to the pretended shepherds, and tell them, *That they would find it as hard to deceive the Romans as to conquer them*. When the *Hetrurians* perceived that their stratagem would not take effect, they presently after appeared, and besieged *Fulvius* in form. The *Dictator* had notice of his distress, and hastened to his relief, and this brought on a general action. *Valerius*, to surprise the enemy, instead of posting his Cavalry in the wings of his army, as was usual, drew them up behind his Infantry, leaving spaces in the lines for the horse to advance upon a signal. And in reality, when the *Romans* had given the first shout for the combat, it was not their Infantry but their Cavalry that began the charge. Passing through the intervals before-mentioned, they drove full speed upon the enemy; and this unexpected attack so terrified and disconcerted the *Hetrurians*, unprepared for it, that the battle was neither long nor doubtful. They quickly gave ground, dispersed themselves, and fled; and the victory of the *Romans* was complete. The *Hetrurians*, humbled by this fresh blow, once again sued for peace, but could obtain no more than a truce for two years.

Year of
R O M E
CCCLII.
Bef. J. C.
Three
hundred.
151st
Consul-
ship.
Livy, B.
10. c. 4.

c. 5.

C H A P. XIX.

§. I. In the year of Rome 453, a Law is passed, to qualify *PLEBEIANS* for the Pontificate and Augurate. §. II. The *Lex Valeria* is confirmed anew. §. III. Q. Fabius Maximus declines the Consulship, and at his own request obtains the *Curule Ædileship*.

Year of
R O M E
cccc^l.iii.
Bef. J. C.
Two
hundred
ninety-
nine.

152d
Consul-
ship.
* A fifth
time.
Fast. Ca-
pit.
Liv. B.
10. c. 6.

§. I. **A**T the next election of Magistrates, *Valerius Corvus*, though absent, was again * promoted to the Consulship; and the *Comitia* appointed Q. *Apuleius Pansa* to be his Collegue. During their administration the *Hebrurians* and *Samnites* continued quiet, and the Republick enjoyed an interval of tranquillity abroad. But as it had ever been the fate of *Rome* to have commotions at home, when she had no foreign enemies, so now two *Tribunes of the Commons*, brothers, of the name of *Ogulnius*, set on foot a new contest with the *Patricians*, concerning honours and dignities. The only important offices which the *Plebeians* did not share with the Nobility, at this time, were the *Pontificate* and the *Augurate*. *Numa* had appointed only four *Pontifices*, and that number had never been increased. The *Augurs*, though but three in number at their first institution by *Romulus*, had been augmented to six. However, the *Augural College* consisted now but of four, probably by the death of two. The *Ogulinii* presented a petition to have four additional *Pontifices* chosen out of the *Plebeians*, and to have five *Plebeian Augurs* added to the four in being. The *Patricians* were highly offended with this proposal; but, as they had experienced the fruitlessness of their endeavours to exclude the *Plebeians* from the *Consulate* and the other great dignities, they made no other opposition to this new incroachment on their prerogatives, than by declaiming in all places against the innovation, as an affront offered to the Gods themselves: *May Heaven grant that so wicked a profanation of our sacred mysteries draw no calamity on the Republick!* The matter was first debated before the assembly of the *Curie* where *Appius Claudius*, so famous for his attempts to humble the Nobility, became now their most zealous advocate. But, as his harangue contained nothing more than a repetition of the old arguments that had been so often employed against the admission of *Plebeians* to the *Consulate*, History has not transmitted it to us. On the other hand, *P. Decius Mus*, who had been twice *Consul*, and once *Dictator*, spoke in behalf of the *Plebeians*. He put the assembly in mind of his father *Decius*, who devoted himself to death for the *Roman Legions*, and thereby made them victorious: *If Decius was as pure and as agreeable a victim to the Gods as his Patrician Collegue Manlius would have been, had he offered himself; what should hinder, but that the same Decius might have been chosen to officiate in our Religious Ceremonies and Sacrifices? And, after all, whence is it that the Patricians derive this peculiar privilege of being alone worthy to minister in sacred things? Did they descend from Heaven with the quality of Patricians? or did Romulus* give

give that title to their ancestors, only because they could tell who were their Fathers and Grandfathers, that is, because they were men of free condition? If this be all, I am able to name a Consul for my Father; and my son may boast, that both his Father and Grandfather have been honoured with the highest dignities in the Republick. But to what purpose should I reason any longer? The Patricians have nothing solid to offer, they only seek to amuse us with words and noise, and they know very well that we shall carry our point. My opinion therefore is, that the People by their suffrages do immediately pass the Petition of the Ogulnii into a Law.

Year of
R O M E
cccliii.
Ref. J. C.
Three
hundred
ninety-
nine.
152d
Consul-
ship.

This Debate was in the assembly of the *Curia*; but, in order to decide the affair, it had been before agreed to summon the *Tribes*; and there both points were carried in favour of the People, and *Decius* was chosen one of the new *Pontifices*.

Livy, B.
10. c. 9.

§. II. *VALERIUS* took the opportunity of the present tranquillity to revive an old Law*, made by *Valerius Poplicola*, and afterwards renewed † by another of his ancestors, enacting, That in capital causes the accused should have a right of appealing to the Tribunal of the People. The *Patricians*, by their interest and power, had hindered the effect of this law, and rendered it obsolete; but it was now once more restored, and expressed in stronger terms than before; with no other sanction however, but That the transgressors of it should be deemed guilty of a dishonest action; a penalty which should have been of little influence in a more corrupt age, but sufficient at this time to restrain the *Romans*, who piqued themselves upon their virtue, and had no hope of rising to great employments, unless they had preserved their reputation pure and untainted.

* In the
year 244.
† In the
year 304.

§. III. IN the following *Comitia* for electing new *Consuls*, *Q. Fabius*, finding that the People were inclined to raise him again to that dignity, though he had not entered his name among the *Candidates*; and considering that he should gain but little glory, in a time of tranquillity; desired the assembly to reserve that mark of their esteem for him till a more tempestuous season, and declared, that a civil employment at present would be more agreeable to him. Accordingly they placed him (with *Papirius Cursor*, the son of the Great *Papirius*) in the *Curule Aedileship*; nor did his superior merit appear less conspicuous in this station than in military command: For, when, not long after, there happened to be a great scarcity of corn at *Rome*, he took such effectual care to guard the People against famine, by bringing corn from abroad, and by making a proper and wise distribution of it, that the poorer sort confessed they owed their lives to him.

c. 9.
c. 11.

C H A P. XX.

§. I. The *Hetrurians* break the truce with *Rome*. *Picenum* obtains an alliance with the Republick. *Valerius Corvus* being declared Consul (the 6th time) the very name of this renowned warrior strikes such a terror into the *Hetrurians*, that they desist from the war. §. II. A report being spread that

both the Hetrurians and the Samnites were making mighty preparations to attack the Republick, the Romans oblige the great FABIVS to accept the office of Consul contrary to his inclination; and, at his request, give him P. Decius Mus to be his Colleague. The Hetrurians ask peace, so that the Consuls march their two armies into Samnium.

Year of
R O M E
ccccliv.
Bef. J. C.
Two
hundred
ninety-
eight.

153d
Consul-
ship.
Livy B.
10. c. 10.

§. I. **T**HE Consuls chosen for the new year were *M. Fulvius Petinus* and *T. Manlius Torquatus*, *Fulvius* went into *Umbria* to carry on the siege of *Nequinum* (which *Apuleius*, one of the former Consuls, had begun) and, by the treachery of some of the inhabitants, he made himself master of the place. The Romans sent a Colony thither, to keep the rest of the *Umbrians* in awe.

In this Consulate the *Hetrurians* broke their truce with *Rome*. But, when they were preparing to enter the *Roman* territory, an irruption of the *Gauls* into their country suspended the design; however, they did not drop it. On the contrary, that they might execute it with the better success, they endeavoured, by large sums to engage the *Gauls* not only to forbear pillaging *Hetruria*, but to join with them against *Rome*. The *Gauls* seemed to listen to the proposal, took the money, and withdrew their troops. But, when the time came for marching against the *Romans*, they excused themselves, unless the *Hetrurians* would assign them a part of their territory to settle in; and this was absolutely refused.

§. II.

During these negotiations between the *Hetrurians* and *Gauls*, *Picenum*, on the borders of the *Adriatick*, sent Deputies to *Rome* to ask an alliance with the Republick; a request which the *Romans* easily granted in the present necessity of their affairs, and then they dispatched away an army to punish the *Hetrurians* for their breach of faith. The command of it had fallen by lot to *Manlius*; but, this General losing his life by a fall from his horse, the *Centuries* met to chuse him a successor, and (which had never happened since the birth of the Republick) all the suffrages were given in favour of one and the same man, *Valerius Corvus*, now the sixth time created Consul. His first Consulship was in the year 405, according to the *Capitoline Marbles*. Though now in a very advanced age, he made the campaign with all the vigour of a man in the bloom of life. His very appearance at the head of the *Roman* army so terrified the *Hetrurians*, that they durst not continue in the field, but shut themselves up in their fortified places; nor could the burning of their villages, and the laying waste their country, provoke them to hazard a battle. This was the last of *Valerius's* Military expeditions. In what year he ended his days is unknown, but it is certain that he lived to above an hundred. He was promoted one and twenty times to offices, that gave him a right to sit in the *Curule* Chair, which can be said of no *Roman* but himself; and, when not in any publick station, he made Agriculture his chief employment and amusement. He was not only a worthy Patriot and good pattern

Plin. B. 7.
c. 48.
Val. Max.
B. 8. c. 13.
Cicero, in
Catone
Majore.
Plut. in
Mario.

* According to *Plutarch*, *Cicero*, *Val. Max.* *Val. Corvus's* first Consulate and his last; *imus*, and others, there were 45 years between according to the *Fast. Capit.* 48.

of that Affection which men owe their country, but an excellent model of the Paternal Care which the head of a great family ought to have of his children and relations. Great in Peace and great in War, *Valerius Corvus* shone eminent even among those Heroes who appeared in the most glorious, because the most virtuous, age of *Rome*.

§. II. TOWARDS the close of the year ^a the Republick (by what accident is unknown) fell into an *Inter-regnum*. When the *Comitia* were held for a new election of Magistrates, *Appius Claudius* took it into his head to oppose the admitting of any *Plebeian* into the *Consulship*: But all his rhetorick proved ineffectual, and *Cn. Fulvius Centumalus a Plebeian*, was made Collegue to *L. Cornelius Scipio*. During their administration the *Hetrurians* took arms again, and the *Samnites* broke their alliance with *Rome*. *Scipio* marched against the former, and gave them battle, the success of which was doubtful. However, the *Hetrurians*, after the action, were seized with an unaccountable terror, deserted their camp in the night, and returned to their respective *Lucumonies*; and the *Consuls* pillaged and laid waste the whole country. This is *Livy's* account. But the *Fasti Capitolini* make it more probable, that this expedition of the *Romans* into *Hetruria* was under the conduct of *Fulvius*, who afterwards marched against the *Samnites*, and gained an unquestionable victory over them near *Bovianum*.

Before the expiration of the present *Consulship*, a report prevailed of mighty preparations that the *Samnites* and *Hetrurians* were making to attack the Republick once more. Hereupon, the first care of the *Romans* was to chuse able Generals for the next campaign; and all eyes immediately turned upon *Fabius*. But he (from what motive is hard to guess) declined the honour, and excused himself to the People on pretence of his age, and the decay of his strength and vigour. And, to shew that he was in earnest, he ordered the law to be read, which forbade any man to bear the office of *Consul* twice within ten years ^b; a law made in the year 411, but which had not been strictly observed. Nevertheless, the People, being bent upon having him for one of their *Consuls*, made such a clamour when the statute was going to be read, as quite drowned the voice of the person appointed to read it; nay, the *Tribunes* themselves threatened *Fabius*, that, if he did not desist from opposing his election, they would get the People to dispense with the law by a formal decree. When *Fabius* found that there was a necessity of complying, he resisted no longer; but then he desired that they would at least oblige him so far as to give him a Collegue to his own mind, and proposed to them *Decius Mus*, who had been joined with him in his last *Consulship*, and with whom, he told them, he had lived in perfect concord and harmony. The

^a Two new Tribes, *Anienfis* and *Terentia*, was good, we must conclude, that the *Consular* years were not always complete years, were this year added to the 31 in being.

^b According to *Livy* and the *Fast. Capitol.* and are therefore a very uncertain measure there had been ten Consulates since *Fabius* of time. C. & R.

Year of R O M E *Comitia* granted his request, and those *Centuries* who had not yet voted gave their voices unanimously for *Decius*. The rest of the year was spent in restraining the avarice of those who, contrary to law, possessed more than five hundred acres of land.

Two hundred ninety-six. While the new *Consuls Fabius* and *Decius* † were considering together in a friendly manner, which of them would be able to conduct the war in this or that province, with most advantage, and what number of forces it would be necessary to employ in each, Deputies arrived at Rome from *Sutrium*, *Nepete*, and *Falerii*, who all agreed in their report, that the *Hetrurians* in their last Diet had resolved to desire a peace. Upon this both the *Consuls* marched into *Samnium*, but entered it different ways. *Fabius* took the shortest cut, by *Sora*; and being informed by his scouts, that the *Samnites* had laid an ambush for him on the banks of the *Tifernus*, and were waiting for his coming into a deep valley, that they might fall upon him from the hills, he resolved to attack them in their concealment. But they, finding their project discovered, left their ambush, and drew up in order of battle in the plain. The brave resistance they made in the beginning of the engagement gave *Fabius* some uneasiness. He commanded his Cavalry to give their horses the reins, and to rush upon the enemy with their usual impetuosity; but this proved ineffectual. His next recourse was to stratagem. He ordered *Scipio*, one of his Lieutenants, to take the *Hastati* of the first Legion, march them by round-about ways in silence to the top of a neighbouring hill, and thence fall on the enemy in the rear; and this motion was made without being perceived, either by the rest of the army, or by the *Samnites*. In the mean time the latter, proud of having repulsed the Roman Cavalry, pushed the first line of the Infantry briskly, and forced them to retire through the spaces in the second line, which consisted of the *Principes*. But, when these began likewise to lose ground, *Scipio* appeared with his detachment in the rear of the enemy. *Fabius*, to encourage his men, made, them believe, that it was the army of his Colleague *Decius* come to his assistance. And, the same persuasion prevailing among the *Samnite* Troops, they immediately disbanded and fled. The slaughter was not great, but the Romans took twenty-three colours.

Livy, B. 10. c. 15. *Decius*, whose name had been of service in this action, had likewise in another respect contributed to the victory, by having defeated the *Apulians*, who were to have joined the *Samnites*. After this the two *Consular* armies continued five months in *Samnium*, and made incredible devastations; *Decius* changing his camp forty-five times, and *Fabius* his eighty-six for that purpose.

C. H A P. XXI.

§. I. *Appius Claudius* makes a fruitless attempt to get the *Consular Fasces* for *Fabius* and himself to the exclusion of all *Plebeian Candidates*. *Fabius*, being



being President in the Comitia, opposes his own re-election. Great advantages are gained over the Samnites. §. II. Appius, though much embarrassed with a war against the Hetrurians, pretends to be displeased with the arrival of his Collegue Volumnius to his assistance from Samnium. The united armies of the two Consuls came to a battle with the enemy, and totally defeat them. §. III. Volumnius returns into his own province, and gains a new victory over the Samnites.

§. I. **FABIUS** returned to Rome to hold the Comitia. The Centuries, first called, had all voted for him to be one of the Consuls, when he himself opposed the proceeding. At first he offered the same objection which he had employed the year before. But when Appius Claudius (who had probably secured his own election) and the whole body of the Nobility, surrounded his chair, and pressed him in the most earnest manner to take this opportunity of excluding the Plebeians from the Consulship, and thereby restoring both to that Magistracy and to the Patricians their pristine dignity, he answered, That he should not have refused to receive the names of two Patricians, if he had observed an intention to join any other but himself with Appius Claudius; but would never give so bad an example, as that of standing candidate, contrary to Law, in an assembly where he himself presided. Hereupon Volumnius Flamma, a Plebeian, was chosen Collegue to Appius. The Patricians, much dissatisfied with Fabius, imputed his refusal of the Consulship to his dislike of Appius for a Collegue, a man who far surpassed him in eloquence, and the arts of civil government.

Year of
R O M E
ccclvi.
Bef. J. C.
Two
hundred
ninety-
fix.
155th
Consul-
ship.
Livy, B.
10. c. 15.
Year of
R O M E
ccclviii.
Bef. J. C.
Two
hundred
ninety-
five.

Both the Consuls of the last year received orders to continue the war in Samnium, in quality of Proconsuls, for six months; so that the Republick had very soon four armies on foot under four Generals.

156th
Consul-
ship.
Livy, B.
10. c. 16.
c. 17.

Fabius, after his return into Samnium, was obliged to lead his army against the Lucanians, who had lately rose up in arms; and he spent his Proconsulate in keeping them in awe, and hindering them from joining the Samnites. In the mean time Decius pushed the Samnites to the last extremity, drove their army even out of Samnium, and then laid siege to their Towns. When he had taken and sacked Murgantia, he persuaded the soldiers to sell their booty for money, that they might not be incumbered with it in their future expeditions. After this, Romulea and Ferentinum were both taken by assault; and, to complete the destruction of Samnium, a new army of two Legions and fifteen hundred auxiliaries advanced thither under the command of the Consul Volumnius.

§. II. THE war with the Hetrurians had fallen by lot to Appius. The storm was now gathered on that side. For the Samnites, who had been driven out of their own country by Decius, had taken refuge in Hetruria, and there, in a Diet held at their request, had pressed the Chiefs of the Lucumonies to exert their utmost strength against the Romans, offering to serve under them at their own expence, and to follow them even to the foot of the Capitol. The Hetrurians, pleased with this proposal, had raised a formidable army, which was strengthened with some Troops of the Gauls, whom

c. 18.

Year of whom they had engaged by the force of money to join them. Upon the
 ROM E news of so powerful a confederacy formed against the Republick, the
 cccclvii. Romans dispatched away Appius at the head of two Legions and twelve
 Bef. J. C. thousand auxiliaries; but it was rather to keep the enemy within bounds,
 Two hundred than in expectation of any notable advantage from the conduct of their
 ninety-five. Consul. And indeed he was worsted, for want of military skill, in every
 skirmish and slight action in which he ventured to engage; insomuch that
 156th the soldiers had no longer any confidence in their General, and the General
 Consul- became distrustful of his soldiers. In this extremity he is said (for the thing
 ship. is not certain) to have written to his Collegue to leave Samnium, and
 Ex tribus hasten to his assistance. Volumnii came with all expedition, and the
 annalibus troops of Appius were overjoyed at his arrival. But Appius himself seemed
 citatis a- surprised at it, disowned the letter, and reproached his Collegue with act-
 pud Livi- ing dishonourably, in quitting the province assigned him, in order to gain
 um, B. 10. the credit of giving assistance to others who did not want it. Volumnii
 c. 18. upon this would have immediately returned to Samnium, if the officers of
 c. 19. both armies had not intreated him to have no regard to the unaccountable
 behaviour of Appius, but to consider the interest of the Republick, which
 required his presence in Hetruria: *We are just ready to give battle, and,
 should matters go ill with us for want of your assistance, will it be inquired,
 whether Appius treated you with arrogance, or not? No, the Roman People
 will consider only the ill success of the battle, and impute it to your too hasty
 resentments.* The Officers, while they remonstrated these things, insensibly
 led both the Consuls to that part of the camp where the soldiers were wont
 to meet when the General was to harangue them; and where they
 were actually assembled. There the two Collegues in longer discourses,
 than before in their more private conversation, made their complaints of
 each other; and, as Volumnii had the better cause, he surpassed himself on
 this occasion in speaking, for he was naturally no Orator: Upon which
 Appius could not forbear rallying: ROMANS, you are much obliged to me,
 In the year I have made a dumb CONSUL speak. I remember, that, the first time Volum-
 446. nius and I were joined together in the Consulate, he scarce opened his mouth
 for some months; he had then no tongue, and now, you see, he is grown even
 eloquent, a perfect Orator. Volumnii answered, I should have been better
 pleased if, instead of your teaching me how to talk, I had taught you how to
 fight. The service of the Republick requires at present an able General, more
 than a fine Speaker; and, if you have a mind to know which of us understands
 better the conduct of an army, that may soon be decided. There are two pro-
 vinces, Samnium and Hetruria; make your choice, I am ready to undertake
 the war in either of them. At these words the soldiers cried out, that they
 should both in conjunction carry on the war in Hetruria. Volumnii an-
 swered, Since I have already made one mistake, and have misrepresented the
 intention of my Collegue, I should be sorry to fall into another, by misun-
 derstanding your inclinations. So put the matter therefore out of all doubt: If
 you would have me stay here, signify it by an acclamation. Instantly the army
 gave a general shout, which was heard in the camp of the enemy, who
 immediately

immediately took the alarm, and drew up in order of battle. *Volumnius* Year of
without delay marched out to meet them; *Appius* is said to have hesi- R O M E
tated a while, undetermined whether he should fight or not, till he found cccclvii.
that his Troops were disposed to follow his Collegue in defiance of the Bef. J. C.
orders of their own General. But then an emûlation for glory, and the Two
shame of being obscured by a rival, roused him to such a degree, that he hundred
exerted himself beyond what could have been expected. He performed, ninety-
the part of an able and brave Commander, having first made a vow to 156th
Bellona to build her a Temple, in case he proved victorious. The united Consul-
Samnites and *Hetrurians* were intirely defeated, and their camp taken and ship.
plundered.

§. III. THIS victory put an end to the misunderstanding between the
two *Consuls*, and they agreed to act jointly against *Hetruria*. But *Volum-*
nus, by an unexpected event, was called back into his own province. Livy, B.
The *Samnites*, though so much exhausted, had raised new levies, spread 10. c. 20.
themselves over *Campania*, and ravaged it; which obliged *Volumnius*
(the *Proconsulate* of *Fabius* and *Decius* being expired) to hasten to the
assistance of the *Campanians*. When he came to the foot of Mount
Massicus, in the district of *Cales*, he learnt that the intention of the ene-
my (who were incamped near the *Vulturnus*) was to break up their camp
about midnight, march home, disburthen themselves of their booty, and
then return to make fresh devastations. *Volumnius* made so much ex-
pedition, that he came upon them, when they were unprepared for bat-
tle, slew six thousand of them, and recovered all the spoil they had
taken. This success quieted the minds of the People at *Rome*, who had
been much alarmed at the last enterprize of the *Samnites*; and they now
took into consideration the proper means to secure *Campania* from the c. 21.
like incursions for the future. It was judged proper to settle two *Colo-*
nies, one at the mouth of the *Liris*, called the Colony of *Minturnæ*, the
other at *Sinuessa*. However, the Senate deferred the execution of that
design, on account of matters of greater importance, which at this time
indispensably required their immediate attention.

C H A P. XXII.

§. I. Q. *Fabius* is elected the 5th time to the Consulate, and at his request
the *Comitia* grant him *Decius* again for a Collegue. • §. II. A rivalry
between the *Patrician* and *Plebeian Ladies* for the reputation of strict
Chastity. §. III. The Senate decree the conduct of the war against the *He-*
trurians to *Fabius*, the *Patrician Consul*. His *Plebeian Collegue* *Decius*
appeals from the Senate's decree to the People. §. IV. In an engagement
which the Romans have with a confederate army of *Gauls* and *Samnites*,
Decius (who commands the Roman left wing) to recover the courage of his
troops, terrified and broken by the armed chariots of the *Gauls*, devotes him-
self to death in the same manner his father had done on a like occasion: Af-
ter

ter which Fabius obtains a complete victory. §. V. The Samnites are again routed by the forces of Appius, now Prætor of Rome, and the Proconsul Volumnius. Rome is afflicted by a Plague, and terrified by Prodigies.

Year of
ROM E.
ccclvii.
Ref. J C.
Two
hundred
ninety-
five.

150th
Consul-
ship.
Livy, B.
10. c. 21.
c. 22.

§. I. CERTAIN advice came to Rome, that the *Hetrurians* had concluded a fresh treaty with the *Samnites*, *Umbrians* and *Gauls*; and that the armies of the four nations were already assembled in two camps in *Hetruria*, where was only *Appius* with his troops to make head against them. The *Comitia* for the new elections being soon after held, *Volumnius* (who had been recalled from *Samnium* to preside in them) before he took the suffrages of the *Centuries*, put the assembly in mind, that they were that day to elect two *Consuls* who would have four nations to contend with; he added, that he doubted not but, in so perilous a season, they would chuse the ablest General in the Commonwealth to the *Consulate*; otherwise he would have named a *Dictator*. At these words all eyes were immediately turned again upon *Fabius*. But when the *Centuries*, first called, had voted for him and for *Volumnius*, he started difficulties, as formerly, and excused himself on account of his age. However, he at length signified his consent, provided he might again have *Decius* for his Collegue: *He will be a support to my old age. One Censorship and two Consulates, in which Decius and I have been already Collegues, have made me know what a happiness it is to the Commonwealth to have her Magistrates live in concord. It is hard for an old man to suit himself to a new Partner in Power. It will be much easier to communicate my thoughts freely to a friend with whom I am thoroughly acquainted.* *Volumnius* approved of *Fabius's* request, and made a fine encomium upon *Decius*, insisting much on the great advantages which would flow from the harmony between two Generals in such strict friendship. The day being spent in these harangues, the elections were put off to the next, and then *Fabius* * and *Decius* † (though the latter was absent from the assembly) were declared *Consuls*; *Appius* chose *Prætor*, and *Volumnius* continued in the command of the army in *Samnium*, with the title of *Proconsul*.

A fifth
time.
† A fourth
time.

Livy, B.
10. c. 23.

§ Pudici-
tia.

§. II. IN this crisis of an approaching terrible war, the People being very superstitious multiplied their publick acts of Devotion; and these gave rise to a quarrel among the *Roman Ladies*. In the Ox-market was a Temple built to the honour of *Patrician Chastity*; and none of the wives of *Plebeians*, how illustrious soever their husbands might be, were ever admitted into it. However, *Aula Virginia*, being herself nobly descended, and being the wife of the *Plebeian Consul Volumnius*, claimed a right of assisting at the ceremonies with the *Patrician Ladies*. And when the latter opposed her pretensions, *What!* said she, *is my virtue † suspected? Was I meanly born? Or have I married two husbands?* (Second marriages were at this time so great a blemish on the *Roman women*, that it excluded them the Temple of *Chastity*.) But all that *Virginia* could say was to no purpose. She was absolutely refused admittance into the sanctuary. Upon this

this she formed the resolution of having a Temple dedicated to *Plebeian* Year of
Chastity: She divided a part of her own house from the rest, caused an R O M E.
altar to be erected and consecrated in it, and, having there assembled the cccclvii.
Plebeian women of the greatest distinction, complained to them of the Bef. J. C.
pride of the *Patrician* Dames, told them her design, and pressed them to Two
an emulation with those haughty Ladies in the point of Modesty and Vir- hundred
tue. This scheme was readily approved, Ceremonies were instituted and ninety-
observed, much like those practised in the other Temple; and this fervour five.
continued for some time: But at length, women of little merit and doubt- 156th
ful characters being admitted into the assembly, it sunk into disgrace, and Consul-
no more mention was made of *Plebeian* chastity. ship.

The same year, the *Curule Aediles* (Cn. and Q. *Ogulnius*) cited some usurers to trial; and the effects of these being, by sentence, confiscated to the Publick, those Magistrates purchased, with the produce, brazen gates for the Capitol; silver vessels sufficient to furnish three Tables in the chapel of *Jupiter*; a statue of this God in a chariot drawn by four horses, which was placed on the pinnacle of his temple; images of the two infants (founders of the city) suckled by a she-wolf. This monument they placed at the *Ruminal Fig-tree*, i. e. in the place, where had stood the wild fig-tree, under which *Romulus*, and *Remus* were said (in the fable concerning them) to have been carried by the stream^a.

§. III. WHEN the time came for *Fabius* and *Decius* to enter upon Year of
office, it was natural to suppose that the latter would be induced by gra- R O M E.
titude, as well as by the age and superior merit of his Colleague, to com- cccclviii.
pliment him with the command of the army in *Hetruria*, without draw- Bef. J. C.
ing lots. But, as the *Patricians* made it a point of honour not to per- Two
mit any other than *Fabius* to have the conduct of the *Hetrurian* war, the hundred
Plebeians, on the other hand, would not suffer *Fabius* to have it, unless it ninety-
fell to him by lot, lest the *Patrician Consuls* should for the future claim a four.
right of chusing their provinces; and the pacifick-minded *Decius* was com- 157th
pelled to go with the stream of his party. The question being carried Consul-
against him in the Senate, he appealed to the People in *Comitia*. There ship.
the two competitors pleaded each his own cause in few words, and more Livy, B.
in the language of Soldiers than of Orators. *What!* said *Fabius*, *have I* 10. c. 24.
planted a tree, and shall another gather the fruits of it? It was I who first
opened a way into Hetruria through the Ciminian Forest, till then deemed im-
practicable. To what purpose did the People force me, at my age, to put my-
self at the helm of affairs, if they intended to give the conduct of the war to
another? After this he fell by degrees to complain of his own choice of
a Colleague, who seemed rather to be an adversary than a friend, and to

^a The *Aediles*, from the same fund, paved with square stone the road from the gate *Capena* to the Temple of *Mars*, which was not far from it, at the entrance of the *Appian* way. About the same time, *Aelius* and

Fulvius, the *Plebeian Aediles*, from the money raised by fines laid on the farmers of the publick pasture grounds, entertained the People with some shews, and presented some gold cups to *Ceres*.

Year of
R O M E
ccclviii.
Bef. J. C.
Two
hundred
ninety-
four.

157th
Consul-
ship.

repent of the concord in which they had lived together during their partnerships in office. And he concluded with assuring the assembly, that, notwithstanding any thing he had said, he pretended to no other right to command in the present war, that what their opinion of his abilities should give him; and that, as he had submitted his cause to the determination of the Senate, he was equally ready to abide by the decision of the People.

Decius began his harangue with complaining of the partiality of the Senate, who, he said, envied the Plebeians every degree of honour; he then pleaded the established custom of the Consuls drawing lots for their provinces, after which he thus proceeded: Did the question relate only to the honouring of Fabius, He has so well deserved of the Publick, and I in particular am so much obliged to him, that I should never be backward to contribute to his glory, if I could do it without shame and disgrace to myself. But who can be so blind as not to see, that, if, in the case of a dangerous war, the conduct of it be given to one of the Consuls without drawing lots, the other must be deemed insufficient, useless, and supernumerary? Fabius boasts of his exploits in Hetruria, and Decius is ambitious of being able to boast of the like exploits; and perhaps it may be his fortune to extinguish that fire which Fabius only covered, and which has often since broke out afresh. As for Honours and Rewards, I shall be ever ready to yield them to my Colleague, out of respect to his Age and Dignity; but, when the question is of Difficulties and Dangers, I can never willingly yield these either to him or to any other. When Decius had ended, Fabius made only this short reply: I desire, Romans, that, before you decide on the present dispute, you will hear Appius's letters read. This said, he left the Assembly. Appius, in his letters, had painted the dangers with which the Republick was threatened in very lively colours; and there needed no more to induce the Comitia to have recourse to the surest remedy. The People instantly and unanimously determined that the conduct of the war in Hetruria should be committed to Fabius.

Livy, B. 10. c. 25. §. IV. AND now all the Roman youth were eager to serve under the command of so able a General. But he, either to dispel the publick fears by a shew of confidence; or to prevent any associates being joined with him, declared, that he would take no stronger a reinforcement to the army than four thousand Foot, and six hundred Horse. With these he marched towards the camp, which the fearful Appius was still strengthening with new fortifications. Not far from it he met a detachment, sent to cut wood in a neighbouring forest. *Whither are you going; soldiers?* said Fabius. They answered, *To the forest, for wood to fortify the camp.* *What!* cried the General, *is it not already fortified?* *Doublets it is,* replied the Soldiers; *and we are surrounded by a double ditch and a double rampart, yet we are still afraid.* *You have wood enough,* said Fabius; *return to the camp, and level the rampart.* The detachment immediately returned, and put the Consul's orders in execution, which much alarmed both the Army and its General, till the workmen informed them, that what

what they were doing was by the command of *Fabius*, who would soon be in the camp. *Fabius* arrived the same day; and the next *Appius* set out for *Rome*, to take possession of the *Prætorship*, to which he had been chosen, as an employment better suited to his talents and capacity, than the command of an army.

Fabius observed a quite different conduct from that of his predecessor. Instead of shutting up his soldiers within fortifications, he kept them in continual motion. He said, nothing was more healthful for soldiers than a frequent change of place, and to march from one country to another; and indeed he obliged them often to make as long marches as was possible at that time of the year, for the winter was not yet over; and by this means he gave his troops an air of confidence.

But, before the season permitted him to enter upon action, he went back to *Rome*, either of his own motion, or by invitation of the Senate. (Some authors say, that *Appius* at his return had made a dreadful representation of the forces of the enemy, and had urged the necessity of sending either *Decius* or *Volumnius* with a second army to his assistance; and they add, that *Decius* had upon this occasion declared it to be his opinion, that *Fabius* ought to be left at full liberty to determine concerning the wants of his army, and the interest of the Republick; and had moved, that he might be sent for to *Rome*, to give his judgment of the state of affairs.) When *Fabius* arrived, he gave such an account of things to the Senate and People, as neither to increase the apprehensions of the Republick, nor to let her sleep in security. As to another General's being joined with him, he said, he should acquiesce in it, on account of the fears of others, not his own, nor because he thought the Republick to be in any danger; but then he desired that *Decius* might be the person: *How is it possible that I should forget the good intelligence in which we formerly lived? There is no man that I can prefer before him. With him I shall never want forces, nor have too many enemies to deal with. But if my Collegue has other views, and cares not to act in conjunction with me, I am willing that Volumnius be sent in his stead.* The Senate, the People, and *Decius* himself left the matter wholly to the determination of *Fabius*. *Decius* declared, that he was ready to go either to *Samnium* or *Hetruria*, as his Collegue judged best; a declaration so pleasing to the assembly, and which spread such a joy among them, that they congratulated one another as if victory had been already gained, and they were decreeing their Generals a Triumph, not the conduct of a war.

Before the *Consuls* left *Rome*, they sent away the *Proconsul Volumnius* into *Samnium*, and, in order to cover the city on the side of *Hetruria*, directed two camps to be pitched, one on the hill *Vaticanus*, close by the *Janiculum*; the other in the country of the *Falisci*. After these regulations they set out for *Hetruria*, and upon the road received the news of the total defeat of a Legion which *Fabius* had left under the command of *Scipio*, near old *Clusium*. A numerous body of those *Gauls* called *Senones* had surrounded the *Romans*, and cut them all off. However, the *Consuls* were not dis-

Year of
R O M E
ccclviii.
Bef. J. C.
Two
hundred
ninety-
four.
157th
Consul-
ship.

Livy, B.
10. c. 26.

Year of
R O M E
cc:clviii.
Bef. J. C.
Two
hundred
ninety-
four.

157th
Consul-
ship.
Livy, B.
10. c. 27.
and 28.

a. 29.

discouraged by this accident. Their army consisted of four *Legions*, a good number of *Roman Knights*, a thousand *Campanian Horse*, and a body of auxiliaries, more numerous than the forces of the *Romans*. They divided it into two parts, and incamped separately, but not far from each other, in the plain of *Sentinum*, about four miles from the enemy. It is said, that the army of the *Gauls* and *Samnites*, who incamped together, consisted of a hundred and forty-three thousand three hundred and thirty Foot, and forty-six thousand Horse. What the number was of the *Hetrurians* and *Umbrians* (who jointly made another camp) is not told. It was agreed among these Confederates, that the *Gauls* and *Samnites* only should engage the *Romans* in the field, whilst the *Hetrurians* and *Umbrians* attacked their two camps. *Fabius* had notice, by deserters, of this design; and in order to disconcert it, and make a diversion, he sent directions to the *Proprætors*, *Fulvius* and *Posthumius*, who were incamped near *Rome*, to march their two armies into *Hetruria*, and ravage it. This stratagem had the desired effect. The *Hetrurians* and *Umbrians* hastened to the relief of the poor People, whose houses were plundered, and lands laid waste; and, during their absence, the *Consuls* brought the *Gauls* and *Samnites* to a battle. This is the first time that we read of armed Chariots used in the wars of *Italy*. The *Gauls* surprised the *Romans*, soon after the action began, with this new way of fighting. Not only the *Roman Cavalry*, but the *Infantry* too of the left wing, which *Decius* commanded, was disordered, and intirely broken by them; nor could he by his utmost efforts engage his terrified soldiers to rally. In this extremity he remembered the example of his father, and in the very same manner devoted himself to the *Dii Manes* to save his army. Assisted by *M. Livius* the *Pontifex*, he performed the same ceremonies, pronounced the same form of words, and rushed unarmed among the enemy. The loss of the General usually occasions the defeat of his Troops; but such was the superstition of the *Romans*, that the death of their General, in this way of sacrifice, gave them new courage. The *Pontifex*, who was himself a brave soldier, took advantage of their prejudices, put himself at their head, and easily brought them to renew the attack, in which they were seconded by some troops, sent by *Fabius* from the rear, under the command of his two Lieutenants. The fortune of the day quickly changed in favour of the *Romans* in the left wing.

In the mean time *Fabius*, who had hitherto done little more than act upon the defensive, artfully managing his troops till the first fury of the *Samnites* was abated, now ordered his Cavalry to wheel about, flank the wings of the enemy, and be ready to charge upon a signal given. He then began to press upon the enemy in front; and, as soon as he perceived that their strength was greatly exhausted, he made Horse and Foot, troops of Reserve, all charge at once; nor could the *Samnites* sustain the shock; they fled to their camp, leaving the *Gauls* by themselves to make good the fight.

To break the *Gauls*, who yet kept their ground, *Fabius* detached a body of five hundred *Campanian Horse* to fetch a compass, and fall upon their

their rear, commanding the *Principes* of the second *Legion* to follow this detachment of Horse, and, wherever they should see the enemy's ranks broken by them, to press on, and hinder the *Gauls* from rallying. This motion succeeded so well, that the *Gauls* were at length defeated.

Year of
R O M E
ccclviii.
Bef. J. C.
Two
hundred
ninety-
four.
157th
Consul-
ship.

In the mean time *Fabius* forced the camp of the *Samnites*, and made a terrible slaughter there. Twenty-five thousand of the enemy were killed in the action of this day, and eight thousand taken prisoners. Among the former was *Gellius Egnatius*, an eminent *Samnite* Commander, who by his negotiations had brought about the formidable alliance of the four nations. The *Romans* lost of the left wing seven thousand men, and one thousand two hundred in the right. The *Consul's* first care, after the victory, was to perform a promise he had made in the heat of the battle, to burn the spoils of the enemy in honour to *Jupiter the Conqueror*. He then caused search to be made for the body of *Decius*; which, being hidden under heaps of the slain, could not be discovered that day, but the day following was found; due Obsequies were performed for the dead Hero, and *Fabius* spoke his Funeral Oration.

As for the *Proprætors*, *Fulvius* and *Posthumius*, they gained great advantages in *Ætruria*; and the *Proconsul* *Volumnius* obtained a considerable victory over the *Samnites* at the foot of mount *Tifernus*. But, notwithstanding all these victories, neither *Samnites* nor *Ætrurians* were yet brought into subjection. The latter took courage, and assembled fresh forces as soon as *Fabius* left the country, so that he was obliged to lead his army thither again. A new victory obtained over them was the last of this Hero's exploits, in the station of Chief Commander.

Livy, B.
10. c. 30.
c. 31.

Fabius had a son whose surname was *Gurges*, or *The Gulph*, an appellation given him on account of his excessive intemperance in his youth. This man afterwards corrected his way of living, and, though he never equalled his father in any kind of merit, became worthy of Publick Offices. He was now *Curule Ædile*, and, in order to wipe off the shame of his past excesses, turned a zealous reformer of manners. He brought before the Tribunal of the People accusations of Adultery against great numbers of women of distinction, who, being convicted, were condemned to pecuniary fines. The money arising from these fines he consecrated to the building of a Temple to *Venus* near the great *Circus*.

Macro-
b. Satur. B.
3. c. 13.

§. V. BEFORE the end of this year the *Samnites* brought two new armies into the field in different places, and even acted on the offensive. Upon which *Appius* the *Prætor* was dispatched from *Rome* to put himself at the head of those troops which *Decius* had commanded, and was ordered to go to the assistance of the *Proconsul* *Volumnius*. These two Generals, having united their forces, defeated the enemy (whom they had constrained to join theirs) in a pitched battle fought in the *Campi Stellates* in *Campania*. The *Samnites* lost sixteen thousand three hundred men.

Rome had never before made war in so many places at the same time with more success. But, in the midst of her rejoicings for such signal victories, she was visited with a dreadful Plague. It was a melancholy contrast,

Orof. B.
3. c. 22.

Year of contrast, as *Orosius* observes, to behold the Triumphal Procession of *Fabius*
 R O M E often interrupted by Funerals; and the applauses of the People by the la-
 cccclviii. mentations of those who bewailed the dead, or the dying.

Bef. J. C. Prodigies were never in greater plenty than this year. In three days
 Two there flowed successively, from the altar of *Jupiter Capitolinus*, three dif-
 hundred ferent liquors; the first day blood, the second honey, and the third milk;
 ninety- and in divers places it rained earth. The *Augurs* and *Sybilline Books*
 four. were consulted upon these imaginary prognosticks, and the joy for past
 157th victories was much damped by the present calamity, and by the apprehension of impending evils.

Consul-
 ship.
Zonaras,
 B. 6.
Livy, B.
 10. c. 31.

C H A P. XXIII.

§. I. *The war was carried on against the Samnites with various success.* §. II. *Three of the Lucumonies of Hetruria are reduced to sue for peace.* §. III. *The Samnite war is continued. The Samnites make 16000 of their soldiers bind themselves by oaths and imprecations to conquer or die, The Romans gain the victory by a new stratagem.* §. IV. *The war breaks out afresh in Hetruria. The Hetrurians are reduced to buy a truce for a year. In this year a Sun-dial is, for the first time, seen at Rome.* §. V. *A new regulation is made relating to the Guardianship of Orphans, and another relating to the Publick Games.*

§. I. **T**HE Republick had now been forty-eight years in war with the *Samnites*, almost without interruption; and, though the latter had been so often vanquished, they did not relinquish the hope of being finally the Conquerors. Four times (says *Livy*) they had been defeated the very last year; they had lost their ablest General; they saw their Allies in the same adverse fortune as themselves; they could neither by their own strength, nor by foreign aid, maintain their ground; yet they did not desist from the war: They were never weary of fighting, even unfortunately, in the defence of liberty: They chose rather to be vanquished than not strive for victory.

c. 31.

Livy, B. 10. c. 32, and 33. So considerable were the preparations they made to take the field once more, that the Senate thought it necessary to employ against them both the new Consuls *L. Posthumius * Megellus* and *M. Atilius Regulus*: But, Year of R O M E *Posthumius* falling sick, *Atilius* was dispatched away without him, to attack the enemy before they could get out of *Samnium*. The two armies met just upon the confines of *Campania*; and here the Consul was no sooner incamped than the *Samnites* formed the bold design of forcing his lines. By the help of a very thick fog they approached the *Roman* camp, surprised the advanced guards, made themselves masters of the *Decuman* gate, and penetrated as far as to the *Quæstor's* tent, where the military Chest was kept. The alarm reaching to the General's quarters, he awaked, put himself at the head of some *Manipuli*, and, in short, repulsed the enemy, but

158th
 Consul-
 ship.
 * A 2d
 time.

but durst not pursue them for fear of an ambush. Though this enterprize of the *Samnites* did not prove successful, yet the courage with which they had felt themselves animated to make the attempt gave them new confidence; and they kept the *Romans* so closely shut up, that they could not enter *Samnium*, to live there upon free quarter.

The disadvantageous situation of *Atilius's* army alarmed the Senate and People at *Rome*; so that *Posthumius*, tho' not perfectly recovered, thought himself obliged to set out for *Samnium* with the two *Legions* allotted him. Upon his arrival the *Samnites*, being in no condition to make head against two *Consular* armies, decamped in haste, and left their country open to be pillaged. *Posthumius* applied himself to the besieging of Towns, and took *Milionia* and *Triventum*; the latter without fighting.

Atilius met with more difficulties and danger in his expeditions. Having received intelligence that the *Samnites* were besieging *Luceria*, in *Apulia*, he hastened to its relief, but found the enemy in his way. The two armies came to an engagement; in which the *Romans* suffered most; and this misfortune so mightily dejected them, that they passed the night in great uneasiness, expecting every moment to see the enemy approach to force their lines. But it happened on the other hand, that the *Samnites* were no less terrified, and thought only of returning home. The difficulty was how to put their design in execution, because the place where they were posted was a kind of defile and much confined, and the *Romans* were between them and *Samnium*. They resolved at length to go directly towards the *Roman* camp, endeavour to march along by the side of it, and make the plain. The *Consul*, imagining that the enemy was come to attack him, gave orders to his *Legions* to prepare for battle, and to follow him out of the camp. But, though the officers were ready enough to obey him, the Soldiers were so fatigued and intimidated, that he could not, even by soft words, prevail with them to stir. In the mean time the *Samnites* drew near, and the *Roman* Soldiers pretended to discern, that they were loaded with stakes, as if they meant to form a Palisade round the camp. The *Consul* hereupon expostulated with his men on the disgrace of suffering themselves to be shut up in their camp to starve there; and shame at length made them march out, though very slowly and unwillingly. The motion of the *Romans* was a disappointment to the *Samnites*, for they had hoped to avoid a battle; however, when they found in necessary to fight, they prepared for it; and thus two coward armies were brought to an engagement intirely against their inclinations. The *Romans*, gave ground, and would have fled into their intrenchments; but *Atilius* ordering some troops of Horse to the rear of his Infantry, with directions to kill every *Roman* who should attempt to enter the camp, the run-aways were hereby brought to rally and renew the fight. The victory at length fell to the *Romans*, after they had lost 7300 men. *Atilius* soon after, in his march homeward, met with a body of *Samnites*, who having made an incursion into the country of the *Volscei*, and brought thence a considerable booty, and many *Roman* prisoners, were marching home in great disorder;

Year of
R O M E
ccclix.
Bef. J. C.
Two,
hundred
ninety-
three.
158th
Consul-
ship.
c. 34, 35,
36.

Year of order; he cut them in pieces, recovered the booty, and released the
 R O M E captives. After this he returned to *Rome*, to preside at the new elec-
 cccclix. tions.

Ref. J. C.
 'Two

hundred
 ninety-
 three.

158th
 Consul-
 ship.
 Livy, B.
 10. c. 37

A *Triumph* he was ^a refused for two reasons, for having lost so many men in the battle, and for having released his prisoners on the sole condition of their passing under the yoke.

§. II. THE other Consul, *Posthumius*, because he could find no employment for his Troops in *Samnium*, marched them, without any order from the Senate, into *Hetruria*. Here he defeated the *Volturnenses*, took *Rufellæ* by assault, and reduced *Volturni*, *Perusia*, and *Arretium* (three principal cities) to sue for peace. The Senate granted them a truce of forty years, on condition of their paying each 500,000 pounds of brass into the treasury of the Republick. For these exploits the Consul, without scruple, petitioned the Senate for a *Triumph*; not that he expected the *Fathers* would grant it, but because it was customary, on such occasions, to make the first application to *them*. Some opposed his request on pretence that he had not taken the field early enough; others, because he had left his province without the Senate's direction. *Posthumius* perceiving that the members who made these objections were influenced partly by their enmity to him, partly by their friendship for the other Consul (whom, having met with the like refusal, they would console, by putting his Colleague on the same foot with him) frankly addressed the house in these terms: "*Conscript Fathers*, I shall not have my mind so wholly possessed with the remembrance and contemplation of your majesty, as to forget that I am a Consul. The wars, which I undertook, I have conducted with success; I have subdued *Samnium* and *Hetruria*; I have obtained for the Republick victory and peace; and now, in right of the same authority by which I made war, *I will triumph*." This said, he left the assembly. A contest hereupon arose among the *Tribunes of the Commons*: Some said, they would forbid his Triumph, as unprecedented, and of bad example; others declared they would support him in his pretension. The affair came at length before the People; and *Posthumius* was summoned to the Assembly. He put them in mind, "that the Consuls *Valerius* and *Horatius* ^{*}, and lately *Marcus Rutilus*, father of one of the present Censors, had triumphed, not by the Authority of the Senate, but by the will of the People:" He added, "That, if he had not known that some of the *Tribunes*, mere vassals to the nobles, would have employed their *Veto* against his bill, he should have made his first application to the *Comitia*; for that the good pleasure and favour of the People, unanimous, did, and ever would, with him, supply the place of all Decrees and Commands." The next day, contrary to the will of the whole Senate, and in spite of the [†] opposition of seven of the *Tribunes*, the Consul, aided by the other three, obtained the honours of the

^a In 304.

† Adversus intercessionem.

* The Fast. Cap. give *Atilius* a Triumph over the *Volturnenses* and *Samnites*.

Triumph;

triumph; and the people solemnised the day with extraordinary rejoicings^a.

BY a *Census* taken this year, the number of *Roman* Citizens, fit to bear arms, appeared to be 262,322. *Livy* transfers this *Census* to the next year, and calls the *Lustrum* that followed it the nineteenth, reckoning only from the institution (in the year 350) of the *Censorship*; and even then there is the difference of one between his reckoning, and that of the *Fasti*; according to which the *Census* of this year was the twentieth, and the *Lustrum* the thirtieth.

§. III. TO L. *Papirius Cursor* (son of the famous *Hiero* of that name, five times *Consul*) and *Sp. Carvilius* were transferred the *Consular Fasces*. *Attilius*, the late *Consul*, obtained the *Prætorship*. His Colleague *Posthumus*, to avoid a trial before the People, to which a certain *Tribune*, named *Scantius*, had cited him [probably for having left his Province without orders] engaged *Carvilius* to appoint him one of his Lieutenants.

AT this time the *Samnites*, to make another vigorous effort, published a new Law, importing that whoever, of an age fit to bear arms, should not appear in the field on a summons from the General, or should leave the service without permission, his head should be devoted to *Jupiter*: (*i. e.* it should be lawful for any one to kill him wherever found) and they appointed *Aquilonia* [a town of *Hirpinia* situated between *Beneventum* and *Luceria*] to be the place of rendezvous.

A numerous army being by this means assembled, the General caused to be erected, in the center of the camp, a tent or booth two hundred feet square, covered on the top with linnen cloth, and so close on all sides, that nothing of what passed within could be seen by those without. Here Sacrifices were offered according to an *old* Ceremonial, which *Ovius Paccius*, an *old* priest, pretended to have found in an *old* linnen book. This rite being performed, the General summoned all the principal men, men distinguished either by their birth or exploits, and introduced them one by one into the tent. Here, to their unspeakable terror, they beheld altars surrounded with slaughtered victims, and *Centurions* standing by with drawn swords, and each person introduced was led to the altars more like a victim, than an assistant at a sacrifice. Immediately was administered to him an oath of secrecy as to every thing he should hear or see in that place; after which he was constrained to pronounce a curse upon himself, his family, and his posterity, if he did not follow wherever the Generals should lead him to fight, if he ever fled himself, or if he did not kill those whom he should see flying. Some of the first, refusing to swear, were instantly killed; and their bodies, thrown among the carcases of the

Year of
R O M E
cccclix.
Bef J. C.
Two
hundred
ninety-
three.
158th
Consul-
ship.
Fall Ca-
pit.
Year of
R O M E
ccccx.
Bef. J. C.
Two
hundred
ninety-
two.
159th
Consul-
ship.
Livy, B.
10. c. 17.

^a *Livy*, at the end of this account, acquaints us, that there is no certainty concerning the military actions of this year, or the commanders who performed them; and

he mentions some particulars, as related by *Claudius*, others as related by *Tibius*, which are not in the foregoing narrative, but are in some things inconsistent with it.

Year of ROME ccclx. Bef. J. C. Two hundred ninety-two, 159th Consulship.

victims, were, to those who followed, an effectual lesson to comply. Of the principal men of the *Samnites*, when they had all gone through this Ceremony, the General selected ten, commanding that each of these should, for the service, chuse ^a, out of his acquaintance, the man upon whose bravery he could most rely, and that this man should chuse another of whom he had the like opinion, and so on, each man chosen chusing another, till the number of 16,000 was completed. These were called the *Linnen-Legion* (*Legio Lintea*) from the covering of the Tent where the Nobility were sworn; and they had finer helmets and bucklers than the rest of the Troops, amounting to above 20000, who, nevertheless, made a fine appearance.

Livy, B. 10. c. 39. While these things were doing, *Carvilius*, at the head of the army which *Atilius* had left near *Interamna*, made his way towards *Samnium*; and his first exploit was the taking of *Amiternum*, a city of *Sabinia*, belonging to the *Samnites*. *Papirius* in the mean time hastened the new levies at *Rome*, and, as soon as his *Legions* were complete, entered upon action. He took *Furconia* (*Livy* calls it *Duronio*) in the neighbourhood of *Amiternum*, and, then joining his Collegue, they went together to ravage that part of the *Volscian* territory, which was under the domination of the *Samnites*. After this, *Carvilius* prepared to lay siege to *Cominium*, in the extremity of the eastern part of *Samnium*; and *Papirius* marched to *Aquilonia*, where the main strength of the *Samnites* was assembled.

c. 40. *PAPIRIUS*, after some slight skirmishes with the enemy, acquainted his Collegue, by a messenger, that he intended to give battle the next day, in case the *Auspices* were favourable; and desired him to press the siege of *Cominium* vigorously, that no detachments might be sent from thence to strengthen the *Samnite* army. Then calling his Troops together, he exhorted them not to fear the enemy for the extraordinary methods they had taken to make themselves valiant; told them, That Oaths, extorted by fear and violence, would never give true courage; put them in mind of his Father's victory over a *Samnite* army, which had made themselves fine, as these had done, with proud Crests to their Helmets, and magnificent Bucklers. Animated by these words, the soldiers, with one voice, called out to lead them to battle: Nay, so universal was the desire of coming to an engagement, that one of the *Pullarii*, or Keepers of the *Chickens*, made a false report of their behaviour, and declared, that they had leapt presently out of their cage, and fed so greedily as to let some of their meat drop out of their mouths upon the pavement: Good omens these, but the facts were not true. The General seemed overjoyed at the Augury, and ordered preparations to be made for fighting. When, the next day, he had assigned his several officers their posts, and had made all the proper dispositions to charge the enemy, his nephew *Papirius*, a youth born in an age (says *Livy*)

Tripudium Solitum.

^a This seems to be the meaning of *Livy's* *eis dictum, ut vir virum legerent, donec words: Decem nominatis ab imperatore, sexdecim millium numerum confecerent.*

when men were not yet acquainted with that philosophy which teaches a Year of contempt of the Gods, discovered to him the error he was in ; and he did R O M E this at the instigation of some Roman Knights, who had overheard the cccclx. keepers of the Chickens disputing about the Augury of that day. The Bef. J. C. General answered, *I commend your pious zeal and care : But, if the Augur Two hundred has given a false account, the vengeance will fall upon his head alone. The ninety- Augury, as reported to me, was good and fortunate for the Roman People.* He then commanded, that the Keepers of the Chickens should be placed 159th at the head of the first line ; and, before the two armies came to a close Consul- engagement, he who had made the false report was killed by an un- ship. known hand [probably by order of the Consul.] The news being Val. Max. brought to Papirius, he pretended to consider it as a stroke from heaven : B. 7. c. 2. *The Gods are with us,* he cried, *their vengeance has spent itself on the guilty head.* In the beginning of the action the Samnites, especially those who Livy, B. had bound themselves by oath not to fly, made a vigorous resistance ; till 10. c. 41 on a sudden they perceived at some distance a cloud of dust, such as is 42. wont to be raised by the march of a considerable army. This dust was caused by the servants and muleteers of the Roman camp, whom Papirius had ordered one of his officers to mount upon mules and beasts of burden, and lead them, together with some Manipuli of the allies, by round-about ways to the top of a neighbouring hill, from whence they were to fall upon the enemy in the heat of the battle. These troops had pro- Frontini- vided themselves with branches of trees, which they had trailed along 3trat. B. the ground to raise the greater dust. Nothing could be seen but the tops 2. c. 4. of some standards and lances, and something like cavalry, which seemed to flank a body of infantry on each side. Both armies were deceived by this appearance ; and, the better to carry on the deceit, Papirius himself pretended to be surpris'd, and cried out with an air of joy : *COMINIUM must certainly be taken, and my Colleague is come to my assistance. Courage, soldiers, let us make haste to gain the victory, before another army can arrive to share the glory of the day.* Then making the signal for his Cavalry to charge, they instantly gave the reins to their horses, drove full speed thro' the files of the Infantry (that widened and made room for that purpose) upon the enemy's Battalions, and quickly put them to the rout. Twelve Oros. B. thousand of the Samnites, according to Orosius, were slain ; but, accord- 3. c. 22. ing to Livy, above thirty thousand ; and Aquilonia, whither most of the fugitives fled for shelter, was soon after taken.

It is recorded (says Livy) that Papirius, whether from natural temper, or from a confidence of success, shewed, in the important battle of this day, a cheerfulness, such as had hardly ever been seen in any other General on a like occasion. From the same strength of mind it was, that a doubtful Augury could not divert him from fighting, and that, in the heat of action, when it was customary for commanders to vow temples to the Gods, he only vowed, that, in case of victory, he would make to Jupiter a Libation of wine mixed with honey, before he tasted wine him-

Year of self. The Gods were pleased with the vow, and turned the bad omens to
R O M E good.

CCCCXL.

Bef. J. C.

Two

hundred

ninety-

two.

159th

Consul-

ship.

Liv.B. 10

c. 43, &

seq.

§. IV. *CARVILIUS* was preparing to make a vigorous attack upon *Cominium*, according to the agreement between him and his Colleague, when he received a letter which *Papirius* had wrote to him before the battle, with notice that the *Samnites* had sent away a large detachment of their army to relieve the place. Upon this news he dispatched *Brutus Scæva*, with the first Legion and twenty *Coborts* of auxiliaries, to meet the *Samnite* reinforcement, with orders to amuse or fight them, wherever he should find them. In the mean time, with the rest of his army he gave an assault to the town, and took it. The besieged, to the number of 15400, surrendered at discretion, 4380 had been slain.

Such was the success at *Cominium* and *Aquilonia*. Both these towns were given up to the soldiers to be plundered, and then were burnt. The two detachments did not come to an engagement; for, that of the *Samnites* being recalled when within seven miles of *Cominium*, *Brutus Scæva* did not meet with it.

After these conquests, the two armies incamped together, but, in a council of war it being judged expedient to push the advantages gained over the *Samnites*, to the total reduction of them, by taking the rest of their cities, *Carvilius* went to lay siege to *Volana* (in *Lucania* near Cape *Palinurus*) dependent doubtless on the *Samnites*; and *Papirius* to attempt the conquest of *Sepinum*, a town situated at the foot of the *Apennines*, near the head of the *Tamarus*.

c. 45. The news of the great success of the *Roman* arms in *Samnium* was the more agreeable at *Rome*, as an account came at the same time, that the *Hebrurians* were beginning to take arms again; which account was soon after confirmed by deputies sent from some cities in alliance with the Republick. Nor was this all; the *Falisci*, who were the nearest neighbours to *Rome* on the side of *Hebruria*, revolted and joined the enemy. It was necessary therefore to recall one of the *Consuls*, with his army, from *Samnium*; they were ordered to cast lots for the conduct of the *Hebrurian* war, and it fell to *Carvilius*, who by this time had taken *Volana*, *Palumbinum*, and *Herculanæum* from the *Samnites*.

c. 46. *Papirius*, after the departure of his Colleague, took *Sepinum* by assault, and gave the booty to the soldiers. He then returned to *Rome*, full of glory, in the month of *February*, and was honoured with a triumph. The rich spoils taken from the *Samnites* made his procession very magnificent. *Papirius* had brought away from the conquered countries 2,533,000^a pounds weight of brass, and 1330 pounds weight of silver. But, though these riches swelled the pomp of the victor's Triumph, he lost the good-will of his soldiers, by giving all into the publick treasury. And the People's discontent was yet greater, when a tax came to be laid upon them to pay his troops, which might have been satisfied by distributing among them a

^a Between 6 and 7000l. Sterling.

part of that wealth. *Papirius* on this occasion dedicated a Temple (to *Year of.*
Quirinus) which his father, when Dictator, had vowed. He adorned it R O M E
with the fine spoils taken from the *Samnites*. Upon this Temple was also ccclx.
fixed a Sun-dial, the first ever seen at *Rome*. *Anaximenes the Milesian* had Bef. J. C.
many years before, as *Pliny* tell us, discovered the secret, but the invention Two
had not reached to *Rome*. The *Romans* for a long while marked only the hundred
rising and setting of the sun; afterwards they observed the hour of noon, ninety-
but in a very gross manner. When the sun shined between the *Rostra* and two.
the house appointed for the reception of Ambassadors, one of the *Consul's* 159th
heralds used to proclaim with a loud voice, that it was mid-day. But now Consul-
they could mark the several hours of the day; and the Water-clock, invent- ship.
ed soon after, enabled them to reckon the hours of the night. Plin. B. 7.

As soon as *Papirius* had triumphed, he left *Rome* again, to lead his troops Livy, B.
into the territory of *Vesuvia*, which the *Samnites* still infested, and there he 10. c. 46.
passed the rest of the winter. In the mean time *Carvilius*, in *Umbria*, took
Troilium by assault, and reduced the *Falisci* to sue for peace. He granted
them however no more than a year's truce, and for that he made them pay
dear. After this he returned to *Rome*, and had a Triumph. He brought
with him 390,000 *Aſſes* of brass for the publick treasury, without reckon-
ing a considerable sum which he reserved to build a Temple to *Fortune*. And Ædem
he gave besides to each private soldier of the Foot 102 pounds ^b of brass, Fortis
and twice that sum to each Centurion and Horseman; a small present, but Fortunæ.
well received, and which the remembrance of *Papirius's* parsimonious con-
duct made still more agreeable; and by this means he became popular c. 47.
enough to prevail with the People to drop the prosecution, which the *Tri-*
bune Scantius had begun against *Posthumius*, one of the *Consuls* of the last year.

§. V. IT was probably at this time that *Atilius*, the other *Consul* of the
last year, now *Prætor*, made a new law relating to Guardianships. The
Twelve Tables had not provided for those orphans, whose fathers died in-
testate, and who had no near relation to take upon him the guardianship of
them. The *Atilian Law* ordained, that the *Prætor* and the *Tribunes of the* Ulpian
People should by a plurality of voices assign such Orphans a Guardian. At de Tu-
the same time the *Curule Ædiles* published an ordinance, that those who had telis.
received crowns, as the rewards of their military exploits, might wear them Liv. B.
at the publick Games; and that Palm-branches should be put in the hands 10. c. 47
of the victors in those Games.

^a 125, 7 s. 6 d. Arbuthnot.

^b 6 s. 7 d. Arbuthnot.

C H A P. XXIV.

§. I. Q. Fabius Gurgus (son of Fabius Maximus) is chosen to the Con-
sulate, tho' his father had opposed his promotion. Through his ill conduct,
he is shamefully vanquished in a battle with the *Samnites*. Old Fabius
serves under his son the remainder of the Campaign, which proves successful.

§. II. The

§. II. *The Romans, to put a stop to the Plague, send Ambassadors to bring from Epidaurus the God Æsculapius, worshipped there under the form of a Serpent.* §. III. *The God arrives. The haughty behaviour of Posthumius one of the Consuls. He succeeds in the war, but is punished at his return to Rome.* §. IV. *The Consul CURIUS DENTATUS (a Hero famous for living in a voluntary poverty) reduces the Samnites to ask PEACE.* §. V. *He reduces SABINIA to a state of subjection to the Republick. He is accused of embezzling some of the spoil taken from the enemy.* §. VI. *Colonies are sent into the conquered Cities. To relieve the Prætor of Rome, three new Judges are created to try Malefactors. The cruelty of a Creditor to his Debtor occasions a new Secession of the People. The Patricians are obliged to make concessions. Fabius Maximus in his old age is named Dictator to finish the accommodation. He soon after dies.*

Year of §. I. *PAPIRIUS* held the *Comitia* for the election of *Consuls*. The
R O M E choice fell upon two men of small abilities for war, Q. *Tullius*
ccclxi. *Gurgæ* (the son of *Fabius Maximus*) and *Junius Brutus Scæva*. It is un-
Bef. J. C. doubted, that *Fabius* the father opposed the promotion of his son; but it
Two is very uncertain for what reason; whether, as *Valerius Maximus* thinks,
hundred from a Republican principle, and because he thought it of pernicious
ninety- example to have one family loaded with so many honours, he having
one. himself been promoted to that dignity; or whether on account of some
160th domestick quarrel, or whether because he judged his son unqualified for so
Consul- high a station. Rome being at this time visited with a Plague, which made
ship. terrible havock, this, together with the incapacity of the new *Consuls*, en-
Livy, P. couraged the *Falisci* to break their truce, and the *Samnites* to take arms
10. c. 47. again, and spread themselves over *Campania*. It fell to *Brutus's* lot to
Val. Max. march into *Uetruria* against the *Falisci*. The Republick, to supply his
B. 4. c. 1. defects, appointed *Cæcilius* to be his Lieutenant, and by his assistance the
Orosius B. Consul made a successful expedition.
3. c. 22.

But, on the other hand, *Fabius Gurgæ*, having all the fire of the *Fabii*, without their usual prudence, rashly, and without drawing up his troops in order of battle, engaged with the *Samnites*, and lost three thousand men, he himself escaping only by the favour of the night. The account of the ill conduct of *Gurgæ* so exasperated the publick against him, that the Senate were going to remove him from the command of the army; but then the zeal of *Fabius Maximus* for the honour of his family was roused, and he undertook his son's cause. Without excusing the precipitate conduct of the *Consul*, he desired the assembly to pardon it, in consideration of the many victories which he himself had formerly obtained for the Republick. He represented to them, that his son's disgrace had not been owing to a want of bravery, but to youthful imprudence, which time and experience might correct. And, lastly, he offered to go and serve under his son, and promised soon to repair the loss which the State had suffered by his son's mismanagement. The People accepted this offer, and were appeased.

Fabius

Fabius Maximus accompanied his son into the field against the *Samnites*, Year of ROME
in quality of his Lieutenant, and not only assisted him by his advice, but, cccclxi.
when in a battle, which was soon after fought, the *Consul*, following the im- Bef. J. C.
pulse of his courage, and eager to recover his honour, had indiscreetly pe- Two
netrated too far among the enemies, and was surrounded by them, rescued hundred
him out of their hands by his personal bravery. So gallant an action, in ninety-
a man of his years, animated the *Roman Legions* to exert themselves with one.
more than ordinary vigour, and they soon put the *Samnites* to the rout. 160th
Twenty thousand of the enemy were slain, and four thousand taken priso- Consul-
ners; among the latter was their famous General *Pontius Herennius*, who ship.
had commanded them in this and the former battle. Orof. B. 3.
c. 22.

§. II. THE joy at Rome for so complete a victory would have been much greater if it had not been damped by the Plague, which still continued to make dreadful devastation. In this distress the *Romans* had recourse to the usual remedy, Superstition. The *Sybilline Books* were consulted, and it was there read, that, to put a stop to the pestilence, the God *Æsculapius*, adored under the form of a Serpent, must be brought to Rome Livy, B.
from *Epidaurus*, a City of *Peloponnesus*. An Embassy was accordingly appointed for that purpose. 10. c. 47.

§. III. THE time for the new Election drawing on, and the *Consuls* being both in the field, a *Dictator* was named to hold the *Comitia*; but, his nomination being found defective, the Government fell into an *Interregnum*; and then *Posthumus* (the very same man who had so lately escaped a condemnation) holding the assembly, contrived to get himself elected* one of the new *Consuls*. With *Posthumus* was joined *Junius Bru- * A 3d*
tus Bubulcus. time.

Posthumus, now the third time *Consul*, and as proud in office as he had been Year of
ambitious in procuring to himself the *Consular* dignity, disdained to draw ROME
lots with his *Plebeian* Collegue for their provinces. He insisted upon having cccclxii.
the Command of the army in *Samnium*; and *Brutus*, finding that his Collegue Bef. J. C.
had a powerful party in the Senate, consented to command in *Hetruria*, with- Two
out waiting for a decree. hundred.
ninety.

About this time the God *Æsculapius*^a, that is to say, a tame Snake, which the *Roman* Ambassadors had bought of the Priests belonging to the Temple 161st
Consul-
ship.

^a *Æsculapius* * was a native of *Messene*, a city of *Peloponnesus*. As soon as he was born, his parents exposed him in the midst of a forest, where he was found by some hunters. These had compassion on him, and caused him to be suckled by a bitch. When he was old enough to be capable of instruction, he was committed to the care of the famous *Chiron*, who taught him Physick, or, if you will, Surgery; for the two arts

were then confounded. The disciple soon excelled his master, and, being grown an able Physician, settled at *Epidaurus*, a city of *Argia*, and practised his art there. It must be granted, that *Æsculapius* made some discoveries in the cure of diseases and wounds. He is said to have invented the *Probe*; to have first made use of *Bandages*; and to have been the first who invented *Purges*, and the art of drawing Teeth.

And,

* The particulars concerning *Æsculapius* are taken from *D. Hal.* in excerpt. à *Valefio. LaFont.* ex *Tarquitio*, *de nat. Deor.* B. 3. *Plut.* in *Quest.* Rom. *Pausanias*, *Amb. di V. r. Illustr.* c. 21. *Ovid.* *Mét.* B. 15. *Val. Max.* B. 1. c. 8. *Pliny*, B. 29. c. 1.

Year of Temple at *Epidaurus*, arrived at *Rome*, to the great joy of the People
 R O M E and the Plague is said to have soon after ceased.

ccclxii.

Bef. J. C.

Two
hundred
ninety.

161st
Consul-
ship.

And, as he lived in an age wherein it was usual to deify those who distinguished themselves by any useful discoveries, the people were pleased to call him the son of *Apollo*, and to rank him among the Gods. After which he soon had a Temple erected to him in *Epidaurus*; which was built upon an eminence without the city, because the most airy and wholesome situations are most suitable to the Gods of *Health*. There the Priests, who presided over the worship of this new God, bred one of those snakes, which are easily tamed, and taught to follow any persons where they please, without any danger of being bit by them; and the silly vulgar honoured this Snake as the God himself. His usual hole was under the feet of the fine stone statue of *Æsculapius* which the famous sculptor *Thrasymedes of Paros* had made; and, whenever he came out of it, his appearance was understood to prognosticate the cure of the sick. The Envoys of *Rome* were brought into this Temple, to which the love of life drew all *Greece*, and which gratitude for cures imagined to be there obtained had exceedingly enriched. *Ogulinus* was at the head of the embassy: and it is probable the *Epidaurians* made the *Romans* pay very dear for the relief they sought; their reputation and interest being then very small in *Greece*. Be that as it will, the *Epidaurians* granted their request, and suffered them to carry away with them the important Snake. It is reported as a prodigy, that the Snake came out in sight of the Ambassadors, while they were attentively viewing the statue of *Æsculapius*: and that he left the Temple of *Epidaurus* of his own accord, and, winding his great body along, passed all thro' the city, and went directly to the port where the *Roman* ship was at anchor. To which it is added, that he entered the vessel of his own accord, went directly to *Ogulinus's* cabin, and, curling himself into several circles, continued quietly there. An account which is neither incredible nor miraculous, if we suppose (which might have been the case) that the master of the Snake, who had tamed him, went before him to the ship. Besides, this was not the first time that one of these Snakes had been taken out of the Temple of *Epidaurus*. The *Sicyonians* had already carried one from thence to their city, in a chariot; and an unknown woman, named *Nicagora*, had conducted

him thither. Thus the impostures of the *Greeks* furnished the nations, who were willing to be cheated, with *Æsculapius's*; and thus the *Romans*, among others, were bubbled by them.

The other adventures of the pretended *Æsculapius*, in his passage from *Epidaurus* to *Rome*, have been celebrated both by the Historians and Poets. They relate, that the Ambassadors experienced the good effects of the God's presence in their voyage, it being exceeding prosperous and happy. Nevertheless, the sea became boisterous towards the coast of *Italy*, and the violence of the winds forced the seamen to put in at the port of *Antium*, where there was a Temple dedicated to *Æsculapius*. The Snake had hitherto confined himself to *Ogulinus's* cabin; but here he escaped, and gliding along came to the court of the sanctuary where he was worshipped. This place was planted with Myrtles and Palm-trees, and the pretended *Æsculapius* got upon the largest of those trees, and twisted his long body round it. For three days it was much feared that the divine animal would continue there; all endeavours to bring him back to the ship proved vain. It availed nothing to offer him his usual food; he continued three days twisted round the Palm-tree. But at length he returned to the galley of his own accord. *Antium* was at no very great distance from the mouth of the *Tiber*; and up that river the snake was carried to *Rome*. The joy the *Romans* shewed at the arrival of this salutary God is not to be expressed. Altars were erected all along the shore; and incense and sacrifices offered, even to profuseness. While the citizens expected soon to receive the God within their walls, and were thinking to build him a temple there, he is said to have chosen his own abode. In the midst of the *Tiber*, over-against the walls of *Rome*, was an island, formed in the infancy of the Republick, by straw, trunks of trees, sand, and the rubbish of the city; and thither the Serpent retired, swimming gently through the water. From that time it was called the *Island of Æsculapius*; and a Temple was soon erected to him there, and enriched with numberless presents. The Temple was built in the shape of a ship; the higher part of it resembled the stern, and the lower part the prow. But whatever the

Historians

History says nothing of any exploits of *Brutus* in *Hetruria*. But Year of
young *Fabius*, who had been continued in the command of the army in R O M E
Samnium in quality of *Proconsul*, being assisted by his father (who go- cccclxii.
vern'd and directed all his motions, without letting him perceive it) Bef. J. C.
had already reduced the Canton of the *Pentrini*, and was besieging *Comi-* Two
nium (an important Town, formerly taken, and burnt by *Carvilius*, but hundred
since rebuilt by the *Samnites*) when *Posthumius* prepared to enter *Samnium* ninety.
with a new Consular army. Before he left *Rome*, he employed a detach- 161st
ment of his troops in the servile work of grubbing up a forest in his own Consul-
estate; and he proceeded in the same spirit of tyranny when he came ship.
into the field. He sent orders to the *Proconsul* to desist from the siege of Dio Coc-
Cominium, and to leave that enterprize to his conduct. Young *Fabius* had ceianus in
received his commission from the Senate; and the *Fathers* supported excerptis
his pretensions, and commanded the *Consul* to bend his forces another à Valefio.
way; but *Posthumius* bad the messenger tell the Senate, *That it was* Livy,
their duty to obey their Consul, and not his to submit to their commands. Epit. 11.
He then marched straight towards *Cominium*, resolving to give the *Fabii* D. Hal. in
battle, if they did not yield to his will. *Fabius Maximus* prevailed with excerptis
his son, for the sake of the publick good, to give way to the imperious à Valefio.
Consul. And then *Posthumius*, having a clear stage, and being a man of
courage and expedition, soon made himself master of *Cominium*.
Thence he turned his arms against *Venusia*, which he likewise took in a
short time. In the letter which he wrote to the Senate to inform them of
his success, he propos'd that a *Colony* might be sent to the last-mentioned
place, and his proposal was approved; but the *Fathers*, who preferred
Obedience to Valour, took occasion from it to humble him. Instead of
appointing him, agreeably to custom, to be one of the founders of the
new *Colony* in the city he had conquered, they named three others, and
allowed him no share in that honour; nay; to mortify him yet more,
they decreed young *Fabius* a Triumph. *Pontius Herennius*, that famous
Samnite General who surpris'd the *Roman Legions* in the *Caudine Forks*,
and made them pass under the Yoke, now followed the Chariot of the
Triumphant Conqueror. (He was afterwards, by an inhumanity unwor- Plut. in
thy of *Romans*, condemn'd to lose his head.) But the most surpris'g Fab.
sight of all was old *Fabius* on horseback in his son's train. He had for- Cunct.
merly in his own Triumphs carried his son in the Chariot with him; and Val Max.
he was now overjoyed to mingle in the croud, and make one of his at- B. 5. c. 7.

Historians say of it, it is very uncertain whether the plague was not stopped before the Serpent arriv'd; and if we believe *Pliny*, who gave no credit to vulgar traditions, the *Romans* themselves would not suffer this *Æsculapius*, who had been brought from beyond-sea, to be placed within their walls. He says they had an aversion to Physicians and their art, and despis'd even *Æsculapius*

himself, the prince and head of Physicians. Nevertheless, the Temple of this God of Health was very much frequented by the Commonalty of *Rome*; the sick came and pass'd the night in it; and imagination, or the strength of nature, sometimes wrought cures there, which were ascribed to the power of the God. C. & R.

Year of R O M E cccclxii. As for *Posthumius*, when he found himself treated with so much contempt, and his rival so much honoured, he not only declaimed with passion against both Senate and People, but did all that was in his power to revenge himself. He would not give the least part of the booty brought from the two conquered Cities into the publick Treasury, but distributed it among his soldiers, and then disbanded them before his successor could arrive.

161st

Consul-
ship.

D. Hal. in
excerptis
à Valefio.

Year of
R O M E cccclxiii.

Bef. J. C.
Two

hundred
eighty-

nine.

Some Historians say, that, notwithstanding these extravagant proceedings, and the opposition of the Senate, he obtained a Triumph by a decree of the People; but this is highly improbable, since it appears by what followed soon after, that the People were no less exasperated against him than the *Fathers*. For the succeeding *Consuls*, *P. Cornelius Rufinus* and *Manius Curius Dentatus*, were no sooner entered upon office, than he was brought to a trial before the *Comitia by Tribes*. His chief accusation turned upon his having employed his soldiers in a slavish work for his own private profit; a crime which touched the People much more than his disobedience to the Senate. They condemned him to pay a considerable fine; and his reputation continued for some time blasted.

162d

Consul-
ship.

Liv.
Epit. 11.

Eutrop.
B. 2.

§. IV. THE *Samnites*, having lost their brave General and able Governor *Pontius*, were no longer in a condition to oppose the progress of the *Roman* arms. *Curius Dentatus* laid waste their country, took their towns, and, in short, obliged them to sue for peace. The Republick consented to a treaty of alliance with them for the fourth time, and left the conditions of it to *Curius* ^a.

Plutarch
in Apoph.

Val. Max.
B. 4. c. 3.

Plin. B.
19. c. 6.

This *Consul* was remarkable for living, without ostentation, in that voluntary Poverty, which some Philosophers have with great vanity cried up and recommended. The *Samnite* Deputies found him sitting on a sorry wooden seat near a fire, dressing his own dinner, which consisted only of some roots; and they offered him a present of a considerable sum of Money. *Curius* expressed his indignation by a disdainful smile. "Without doubt, said he, my indigence makes you hope that you may corrupt me: But you are mistaken. I had rather be the commander of rich men, than be rich myself. Take away that metal, which men make use of only to their destruction, and go tell your nation, that they will find it as difficult to bribe me, as to conquer me." A treaty being concluded upon such conditions as *Curius* thought fit to prescribe, he returned to *Rome* to triumph. And never did the People express more joy than upon this occasion, being at length freed from the care and burthen of a dangerous war, which had lasted forty-nine years. The conqueror, in the distribution of the conquered lands among those *Romans* who had none of

Nico. Da-
mas. in
excerptis
à Valefio.

^a It is uncertain what sort of Government was in use among the *Samnites*; but it is most probable that they were divided into Cantons, and annually assembled a Diet, where resolutions were taken for the publick good. In time of war they chose a Head, who was invested with Sovereign Authority.

It is said that the *Samnites* had one very singular custom in relation to Marriages. Every year, all the marriageable young men and women were assembled before certain judges who matched them according to their merit. C. & R.

their

their own, prevailed to have no more than seven acres allotted to each man, and accepted no more himself, though a much larger portion was offered him. He said, that, to preserve the *Roman* frugality, it were to be wished that no man had more land than was necessary for his subsistence.

§. V. THE conquest of *Samnium* was followed by the reduction of the *Sabines* to a state of subjection, who had been almost ever since the foundation of *Rome* upon the foot of allies, and had been governed by their own laws. They had feared that the ruin of the *Samnites* would affect their own liberty, and had therefore not only lent them assistance, but had ravaged a part of the *Roman* Territory. *Curius* intirely subdued them; but the *Romans*, in regard to old friendship, treated them gently and admitted them to *Roman* Citizenship, yet without the right of suffrage. For the conquest of *Sabinia*, *Curius* had a second Triumph decreed him the same year; an honour which had never been granted to any of his predecessors in the Consulate.

The eminent virtues of this Philosophical Hero did not secure him from envy: There were not wanting those to whom his reputation of disinterestedness gave offence, and they endeavoured to cast a stain upon it. They accused him of having applied a part of the booty taken from the enemy to his private use. The accusation being general, he was put to his oath; and then he confessed, that he had reserved a little wooden oil-vessel for making libations to the Gods, but protested that he had kept nothing more: He was believed; and the malice of his accusers served only to heighten the lustre of his virtue. Before the expiration of his Consulship, he led an army against the *Lucanians*, and obliged them to raise the siege of *Thurium*, the inhabitants of which had implored the protection of the *Romans*, and had gained *Ælius* (one of the *Tribunes*) to be their friend. This Town was situated near the Gulph of *Tarentum*.

§. VI. THE same *Comitia*, which chose *M. Valerius Corvinus* and *Q. Cædicius Noctua* to be *Consuls* for the new year, appointed *Curius Dentatus* to carry on the war in *Lucania* in quality of *Proconsul*. His expedition proved successful; and he thereby established the *Roman* domination through almost the whole extent of the country that reaches from the *Adriatick* to the *Tyrrhenian* and *Sicilian* seas. The new *Consuls* employed their year altogether in works of peace, and in sending out *Colonies*; particularly to *Adria*, a maritime Town, which some say gave name to the *Adriatick* sea; *Castrum* in *Picenum*, and *Sena*, another City on the *Adriatick* at the mouth of the *Seno* in the country of the *Senones*.

At this time the *Romans*, finding that the *Prætor* alone was not sufficient to preserve good order in the City in a time of peace, when malefactors always multiply, the People appointed three new Judges to try delinquents, and pronounce sentence without appeal: But their power of punishing extended only to pecuniary fines; the People would not divest themselves of the sole power of life and death. These new Magistrates were chosen annually in the *Comitia* by Tribes. The number of *Roman* Citizens to bear

Year of
R O M E
ccclxiii.
Bef. J. C.
Two
hundred
eighty-
nine.
162d
Consul-
ship.
Author de
Viris Il-
lustr.
c. 33.
Plutarch
in Apoph.
Florus, B.
1. c. 15.
Liv. Epit.
11.

Author de
Viris Il-
lustr. c.
33.
Plin. B.
34. c. 6.

Year of
R O M E
ccclxiv.
Bef. J. C.
Two
hundred
eighty-
eight.
163d
Consul-
ship.
Liv. Epit.
11.
Festus &
Pomponi-
us de Ori-
gine m. 15.

Year of bear arms, appeared, by a *Census* taken this year, to be two hundred and
R O M E seventy-three thousand.

ccclxiv. And now, when all was quiet abroad, new disturbances were raised at
Bef. J. C. home, and the poor Debtors began again to murmur against the rich
Two Usurers. This spark of dissension was blown up into a flame in the
hundred Ufurers. This spark of dissension was blown up into a flame in the
eighty- *Consulship* of Q. Marcius * Tremulus and P. Cornelius + Arvina, on the
eight. following occasion: T. Veturius, one of those unfortunate *Consuls*, who

163d ' in the year of Rome 432 had been surprised in the *Caudine Forks*, died
Consul- insolvent. His son, a youth of great beauty, and virtuously educated,

Liv. Epit. borrowed a considerable sum of C. Plotius, his father's chief creditor, to
11. defray the expence of his father's funeral. Being afterwards pressed to
Zonar. pay, and having neither money nor credit, he was forced to submit to
Annal. slavery, and to work for his creditor in order to discharge the debt. No-
B. 8. tius conceived a detestable passion for the young man, and treated him
Y. of R. unmercifully for his virtuous resistance. Veturius one day, when his body
465. was all bloody with stripes, made his escape out of the house, got upon

Bef. J. C. an eminence, shewed himself to the People, and published the infamy
287. of his tyrant. The People laid hold on the occasion to decry the Usurers,

164th and to demand the abolition of the law which subjected those to slavery
Consul- who could not pay. This law had been repealed before upon a like occa-
ship. sion in the year 427, but the *Patricians* had got it renewed. As for Plotius,

* A 2d he was cited by the *Tribunes of the People* before the *Centuries*, and condemn-
time. ed to death.
† A 2d

time. In the following *Consulship* of M. Claudius Marcellus and C. Nautius
D. Hal. in *Rutilus*, the People kept no longer any measures with the *Patricians*.
excerptis They insisted upon the abolition of the law before mentioned, and, find-
à Valefio. ing the rich obstinate in opposing it, they made a *Secession* upon the

Val. Max. hill *Janiculus*, on the other side of the *Tiber*. The city being thus left
B. 6. c. 1. destitute of artificers and labourers, and no provisions being brought
Y. of R. thither from the provinces (for the country people had likewise their com-
466. plaints) the *Patricians* and rich *Citizens* found themselves under a necessity

Bef. J. C. of making concessions, and they named Q. Hortensius Dictator to negotiate
286. with the Separatists. The terms of reconciliation were the repeal (doubt-

165th less) of the law in question, and the strict observation of two laws, made in
Consul- the year 414. but to which the Nobility had paid no regard. 1. That the
ship. *Plebiscita* [the Decrees made by the Commons at the request of their *Tribunes*]

Liv. Epit. should be observed by the *Patricians* as well as *Plebeians*. 2. That laws should
11. first pass the Senate, and be brought afterwards to the *Comitia* to be there

S. Aug. de approved or rejected, and not vice versa. The complaint of the coun-
Civitate try people was, That they could not get their causes heard by the Judges
Dei, B. 3. on Market-days, when they came to Rome, but were obliged to leave their

Cic. in work, and return thither again. This was rectified. But when these
Orat. pro several articles of reconciliation were drawn up, and the storm began
Planc. to be appeased, Hortensius died of a sudden, before the expiration of his

Livy, B. 8. c. 12. Dictatorship. It being necessary therefore to create another Dictator, to
Varro complete what he had begun, the *Consuls* nominated the illustrious Fabius,
apud No- who

nium. to be appeased, Hortensius died of a sudden, before the expiration of his
Macrob. Dictatorship. It being necessary therefore to create another Dictator, to

Sat. c. 16. complete what he had begun, the *Consuls* nominated the illustrious Fabius,
Fragmen- who
tum Fast.
Capit.

who now, in an extreme old age, was President or Prince of the Senate. He happily finished the accommodation; and this was the last publick scene in which he appeared. He died soon after. The Republick considered him in his life-time as a prodigy of Roman Valour, Prudence, and Virtue; and now upon his death the People contributed to the expence of his obsequies with so much emulation, that his son, with the victims offered at his funeral, gave a publick entertainment to the whole City.

Year of
R O M E
cccclxvi.
Bef. J. C.
Two
hundred
eighty-
six.

Fabius, while *Dittator*, had (probably) presided in the *Comitia*, when *M. Valerius Potitus* and *C. Ælius Patus* were chosen *Consuls*. Their year proved barren of remarkable events; but the Republick was never more happy than under their administration. The People, having gained the highest pitch of their desires, thought only of enjoying the sweets of tranquillity. The balance of power leaned now rather to their side; and the *Patricians* had no advantage over them, but in the great riches they had acquired, while they kept the ascendant, and in that respect which naturally is paid to persons of high birth.

165th
Conf-
ship.
Auth. de
Viris Il-
lust. c.
32.

Year of
R O M E
cccclxvii.
Bef. J. C.
Two
hundred
eighty-
five.

C H A P. XXV.

§. I. *The Tarentines endeavour privately to stir up both old and new enemies against Rome. The Gauls, called Senones, give the Roman army a terrible overthrow. Curius Dentatus revenges this defeat.* §. II. *The next year the Romans vanquish in battle the Senones, the Boii, and the Hetrurians. The Samnites revolt. The year following, almost all Italy rises in arms against the Republick. Fabricius defeats the confederate forces of the Lucanians, Bruttians, and Samnites.* §. III. *The Tarentines fall in a hostile manner upon a Roman fleet, which chanceth to come into their port. The Romans send to demand satisfaction. The Tarentines insult the Ambassadors, and then turn their thoughts to an alliance with Pyrrhus King of Epirus. [A short account of this Prince, and the state of his affairs at this time.]* §. IV. *The Senate and people of Rome decree a war against the Tarentines. An army marches directly for Tarentum. The mad and ridiculous behaviour of the Citizens on its approach. They resolve to invite Pyrrhus to their assistance.* §. V. *Pyrrhus accepts the invitation, and sends before him to Tarentum the famous Cineas, his prime minister.*

166th
Consul-
ship.

§. I. *R O M E* was now not only in perfect tranquillity at home, but in a flourishing condition with respect to her affairs abroad. The *Latines*, *Sabines*, *Hernici*, *Æqui*, *Marfi*, and *Campanians* were all brought into subjection to her. The *Volsci* were no more a people. The terror of the Roman arms reached to *Apulia*, and kept it in awe. A part of *Lucania* on one hand, and on the other *Umbria* and *Picenum*, quite up to the frontiers of the *Senones*, were all either obedient to the Romans, or awed by Roman Colonies near them. On the other side of the *Tiber* one part

Year of part of *Hetruria* was subdued, and that which was more distant observed the truce which had been granted it. *Samnium*, in all appearance, was quieted; and the *Gauls*, both *Senones* and *Boii*, lived in peace with the Republick, always ready however to fight for those who would employ them. Such was the State of *Rome*, when *C. Claudius Canina* and *M. Aemilius Lepidus* entered upon the *Consulship*. Nothing memorable happened during their administration; and the *Vesces* were transmitted to *C. Servilius Tucca* and *L. Cecilius Metellus*. In their year the *Tarentines* (formerly a Colony of austere *Spartans*, but now sunk into idleness and vice) growing jealous of the prosperity of the *Romans*, and fearing an interruption in their pleasures, as much as the loss of their liberty, employed all their *Grecian* subtlety to stir up both old and new enemies against the Republick; and this without appearing to be concerned.

At the same time the *Senones* prepared to besiege *Aretium*, a City of *Hetruria*, about forty leagues from *Rome*, not far from the river *Arno*, and which was in truce with the Republick. The *Romans*, at the request of the *Aretini*, raised an army to defend them; but, before any act of hostility, they sent a deputation to the *Senones*, to persuade them to desist from their design. These proud *Gauls*, instead of listening to the mediation of the *Romans*, killed the Ambassadors, and then immediately brought their troops before *Aretium*. The Consul *Cæcilius* hastened to the relief of the place, and came to an engagement with the enemy, in which he himself was killed, with seven *Legionary Tribunes*, many of the nobles, and thirteen thousand private men. Upon the news of this terrible defeat, *Curius Dentatus* (probably *Prætor* at this time) was dispatched from *Rome*, at the head of some new levies to supply the Consul's place. But this able and experienced Commander, instead of attacking the army of the *Gauls*, flushed with success, or of attempting to succour *Aretium*, marched along the confines of *Hetruria*, and entered the enemies country, where he took ample vengeance for the murder of the *Roman Ambassadors*. With fire and sword he laid waste and destroyed all before him, so that in a little time he reduced it to a vast desert, in which there scarce remain any appearances of its having been cultivated or inhabited; all the men that were found were put to the sword, and the women and children carried into slavery.

§. II. IN the mean time, and in the beginning of the administration of *P. Cornelius Dolabella* and *Cn. Domitius*, the Republick began to feel the effects of the secret negotiations of the *Tarentines*. The *Boii*, *Hetrurians*, and *Samnites*, all declared against her at once, and she had already the army of the *Senones* before *Aretium* to deal with. These *Gauls*, to revenge the devastation made in their country, left the siege of that Town, and were advancing straight to *Rome*, when *Domitius* met them in *Hetruria*, and gave them a total overthrow with great slaughter. After this, *Cornelius* came to a pitched battle with the united *Hetrurians* and *Boii*; the troops of the former were almost all slain, and those of the latter, who escaped, being vanquished a second time, sued for peace. As for the *Senones*,

Senones, they were so utterly destroyed, that there scarce remained any Year of
footsteps of them in *Italy*. R O M E

In the following *Consulship* of *C. Fabricius* and *Q. Æmilius Papus*, cccclxxi.
almost all *Italy*, through the secret intrigues of the *Tarentines*, rose up Bef. J. C.
in arms against the *Robbers*, as the *Romans* were then called. On one Two
side the remains of the *Hetrurians* and *Boii*, on the other the *Lucanians* hundred
and *Bruttians*, in conjunction with the *Sampites*, all conspired together eighty-
for the destruction of the imperious Republick. It fell to *Æmilius* to one.
carry on the war in *Hetruria*, and to *Fabricius* to command in *Luca-*
nia. The latter marched to the relief of *Thurium*, a city on the 170th
Gulph of *Tarentum*, and besieged by the *Lucanians*, *Bruttians*, and Consul
and *Samnites*. He defeated this confederate army, but found it a difficult ship.
enterprise to force their camp. The means by which he succeeded in Pliny, B.
it, and which had something of the air of a miracle, was probably a 34. c. 6.
stratagem of his own contriving. Whilst he seemed to be in suspense Ammian.
what measures to take, a young man full of strength and vigour, wear- Mar. B.
ing feathers in his helmet, appeared on a sudden in the midst of the 24. c. 15.
Legions, exhorted them to decline no danger for the honour of their Val. Max.
country, and then, seizing a ladder, advanced to the rampart through B. 1. c. 8.
a shower of darts, planted his ladder against it, and mounted the wall.
This bold action intimidated the confederates, and inspired the *Romans*
with such intrepidity, that they soon made themselves masters of the
camp. Twenty-five thousand of the enemy, with their General *Statilius*,
were slain. After the victory the *Consul* ordered the young man who
had first mounted the rampart to be sought for, in order to reward him ;
and, because he was not to be found, the *Romans* presently imagined,
that it was the God *Mars* himself, and returned him solemn thanks for
his assistance, by publick *Supplications*.

§. III. AS for the *Tarentines*, the real authors of this war, they had
not yet openly declared against *Rome*. An accident at length made Flor. B 1.
them throw off the mask. *Valerius*, one of the *Maritime Duumvirs*, or c. 18.
Admirals of the *Roman* fleet, happened to come with ten ships to the Oros. B 4.
mouth of their port, while they were celebrating their Games in the c. 1.
Theatre, which looked towards the harbour. The sudden appearance of the
Roman ships interrupted their diversions ; the *Tarentines* imagining that
the *Romans* were come with hostile intentions, they all with one consent
ran down to the port, fell upon the fleet with the fury of mad men, sunk
one ship, and took four, the other five escaping. All the prisoners fit
to bear arms were put to the sword, and the rest sold to the best bidder.
Upon the news of this unexpected insult, the Republick sent a deputation
to *Tarentum* to demand satisfaction. *Posthumius Megellus*, who had been D. Hal. in
thrice *Consul*, was at the head of the Embassy. He was admitted to an Legat.
audience in the Theatre, where he harangued the assembly in *Greek*.
The *Tarentines*, heated with wine, instead of listening to his discourse
with that seriousness which the importance of the matter required, burst
into loud laughter, or hissed him, whenever he hesitated, was incorrect
in

Year of in his expression, or even pronounced a word with a foreign accent ; but, when he began to speak of *Reparation of Wrongs*, they flew into rage, called him *Barbarian*, and, in a manner, drove him out of the assembly. Nor was this all : As he was walking off with an air of gravity and dignity, a buffoon named *Philonides*, coming up to him, urined upon his robe ; a new source of immoderate laughter to the mad and drunken multitude ; some of them even clapped their hands for extreme joy at the outrageous insolence. *Posthumus*, turning about to the assembly, only shewed them the skirt of his garment so defiled ; but when he found that this had no effect, but to increase the loudness of their contumelious mirth, *Laugh on, TARENTINES, laugh on, now while you may. The time is coming, when you will weep ; yes, TARENTINES, you will long weep. It is not a little blood that must wash and purify this garment.* Having thus spoken, he straight withdrew, left the city, and embarked for *Rome*.

When the *Tarentines* came to themselves, and began to reflect on the enormity of their conduct never to be forgiven, and at the same time on the inability of their neighbours in *Italy* to defend them, they concluded it absolutely necessary to look for succours from beyond-sea ; and they cast their eyes on *Pyrrhus*, King of *Epirus*, who, for personal bravery and martial skill, was renowned above all the *Grecian* Commanders of that time.

Plut. Life of Pyrrhus, p. 383. & seq. This Prince was descended from *Achilles*, by his son *Neoptolemus* (or *Pyrrhus*) who conquered *Epirus*, reigned there himself, and left the throne to his posterity. Being yet an infant at the breast, when his father *Æacides* was dethroned by his subjects, he was conveyed through variety of dangers into *Illyricum*, where *Glaucias*, the King of that country, took care of him, and educated him with his own children. When *Pyrrhus* had attained to 12 years of age, *Glaucias*, at the head of a great army, entered *Epirus*, and placed him on the throne of his ancestors ; but, when he was 17 years old, the *Epirots* rebelling again, drove him from his kingdom, and forced him to seek refuge in the dominions of *Demetrius*, the husband of his sister *Deidamia*. *Demetrius* was then master of *Greece* and a great part of *Asia*. *Pyrrhus* served under him in his wars against *Ptolomy* King of *Ægypt*, and gained great applause by his courage and conduct at the famous battle of *Ipsus*, in *Phrygia*, where so many Kings were present ; and, when a peace was made between *Demetrius* and *Ptolomy*, *Pyrrhus* was sent to *Ægypt*, as one of the hostages to secure the performance of the Treaty. Here he behaved himself with so much prudence and address, as to gain universal esteem and admiration ; and he made his court so successfully to *Berenice*, the favourite Queen, that she gave him in marriage *Antigone*, her daughter by a former husband. Having by this alliance engaged *Ptolomy* to assist him with money and troops, he recovered his own Kingdom ; after which he made himself master of *Macedon* ; but, being dispossessed of it again by *Lyfimachus*, retired into *Epirus*, and was at this time in peace with all the neighbouring States. However, as he naturally loved action, and the bustle and hurry

hurry of war, the ambassadors whom the *Tarentines* sent to him (perhaps only to try his pulse and observe the state of his affairs) found him in a disposition to hearken to any proposals, which would furnish him with employment worthy of his ambition.

Year of
R O M E
ccclxxi.
Bef. J. C.

Two
hundred
eighty-
one.

§. IV. *The Tarentines*, to amuse the *Romans* till it could be known what might be expected from *Pyrrhus*, besieged *Thurium* defended by a *Roman* Garrison, and took it. This news came to *Rome* soon after the return of *Posthumius* and the other ambassadors who had been so ill treated at *Tarentum*. The Republick had just raised 1. *Æmilius Barbula* and 2. *Mercius Philippus* to the *Consulate*. These Magistrates having assembled the Conscript Fathers represented to them on one hand the shameful indignity offered to their ambassadors, which required vengeance; and, on the other, the danger of engaging in a new war, when the Republick had already so many enemies to contend with: For the *Herurians* and *Samnites* were still in arms, and the *Lucanians* and *Bruttians* grown more confident, since the taking of *Thurium*. To the necessity of chastising the *Tarentines*, the Hostilities they had committed against the Republick, and the insult they had offered to *Posthumius*, whose robe was produced in the assembly, left no room for deliberation upon that point; the only question was concerning the proper time; and this the Fathers debated from Sun-rising to Sun-set for several days together, being divided in opinion. Some were for deferring the war with the *Tarentines*, till the intermediate Provinces should be subdued; others for beginning it immediately. The question being put to the vote, the latter opinion prevailed by a majority of voices; and the Senate's Decree was confirmed by the people. Hereupon, *Æmilius*, who had intended to make the campaign in *Samnium*, received orders to lay aside that Expedition, and march directly to *Tarentum*.

170th
Consul-
ship.
Y. of R.
ccclxxii.
Bef. J. C.

Two
hundred
eighty.

171st
Consul-
ship.
D Hal. in
Legation.

Zon. B. 8.

The approach of the *Romans* made the *Tarentines* carry on their deliberations with a little more seriousness than formerly; and when the *Consul* sent once again to demand satisfaction, before he began Hostilities, the oldest and richest declared for peace: but the populace who had little to lose insisted upon a war; and what put an end to the debate was a speech of one of the common citizens, who renewed the proposal of bringing *Pyrrhus* into *Italy*, a motion highly applauded by the multitude. The wiser part of the citizens, finding themselves overborne by numbers, came no more to the assemblies. Only, the day that a public Decree was to pass for inviting *Pyrrhus* to *Tarentum*, and when the people were all placed in the Theatre, one *Meton*, a sober worthy citizen, with a withered garland on his head, and a flambeau in his hand, (as was the manner of drunken debauchees) and accompanied by a woman playing on a flute, came dancing into the midst of the assembly. This silly sight was sufficient to divert the *Tarentines* from their most important deliberations. They made a Ring, and called out to *Meton* to sing, and to the woman to play; but when, expecting to be entertained with a song, they were all silent, *Meton* assuming an air of great seriousness,

Diod. in
Eclog.
Plut. Life
of Pyrr-
hus, p.
390.

Year of nels, " You do well, *Tarentines*, not to hinder those from diverting
 R O M E " themselves who are disposed to mirth; and, if you are wise, you will
 ccclxxii. " yourselves make advantage of the present liberty you enjoy to do
 Bef. J. C. " the same. When *Pyrrhus* comes, you must change your way of life;
 Two " your mirth and joy will be at an end." These words made an im-
 hundred " pression upon the multitude, and a murmur went about, that he had
 eighty. " spoken well: but those who had some reason to fear that they should be
 171st " delivered up to the *Romans* in case of an accommodation, being in-
 Consul- " raged at what he had said, reviled the assembly for suffering themselves
 ship. " to be so mocked and affronted, and, crowding together, they thrust
Meton out of the Theatre. After this the decree was passed, and am-
 bassadors were sent into *Epirus*, not only from the *Tarentines*, but from all
 the *Italic Greeks*, with magnificent presents for the King, and with
 instructions to say, that they only wanted a general of fame and expe-
 rience; that, as for troops, they could themselves furnish a numerous
 army, 20000 horse, and 350000 foot, *Lucanians*, *Messapians*, *Samnites*, and
Tarentines.

* Oros. B. 4. As soon as the news came to the *Roman* camp that a deputation to
 c. 1. *Pyrrhus* was decreed, *Æmilius* straight began Hostilities, burnt and
 Zon. B. 8. destroyed all before him, and forced the *Tarentines* in the field to take
 refuge within their walls. However, not to drive them to despair,
 and to induce them to lay aside the design of receiving *Pyrrhus*, he used
 some moderation, and sent back the prisoners he had taken. These
 highly extolled the generosity of the *Consul*; insomuch, that many of the
 inhabitants were brought over to the *Roman* party; and they all in general
 began to repent of their rejecting a peace, and sending for *Pyrrhus*. This
 was evident by their chusing *Agis*, a friend of the *Romans*, to be their Ge-
 neral, and the Governor of the City.

Plut. Life §. V. IN the mean while the *Tarentine* ambassadors, pursuant to the
 of Pyrr- powers they had received, made an absolute treaty with the King of *Epirus*.
 hus, p. He was very ready to accept the invitation into *Italy*, his head being turned
 391. with the exploits of *Alexander the Great* in the East, which he thought to
 imitate by mighty conquests in the West.

There was then at the court of *Epirus* a *Thessalian*, named *Cyneas*, a
 man of sound understanding, and who had been a Disciple of *Demosthenes*.
 He was thought to approach nearer than any other orator of this time to
 the vehement and forcible eloquence of that great master. *Pyrrhus*
 usually employed him, as his ambassador to those cities with whom he
 had any affair to transact, and the able minister succeeded so well in these
 negotiations, that the King was wont to say, *He had made more conquests by*
the tongue of Cyneas than by his own sword. And for this reason he
 not only held him in the highest esteem, but loaded him with honours,
 making him his chief minister and favourite.

Cyneas, perceiving that *Pyrrhus* was eagerly bent to pass into *Italy*,
 and finding him one day at leisure, and in a humour for free conversa-
 tion, thus began: *The ROMANS, SIR, are reported to be great warriors,*
and

and to rule over many brave and warlike nations. Should God grant us, nevertheless, to vanquish them, what use shall we make of our victory?— The thing speaks of itself, answered Pyrrhus; *the Romans once conquered, there is no city, Barbarian or Greek in Italy, that will dare to resist us. We shall be immediately masters of that whole country; whose extent, wealth, and power, no-body is better apprized of than yourself.*—Cyneas, (after a short silence) *And when we have conquered Italy, What are we to do next?—* Pyrrhus (not yet perceiving his drift) *Next? Why, there is Sicily just by. She opens her arms to receive us, a rich and populous Island, and easily subdued; for, since the death of Agathocles, the cities are all in confusion and anarchy.*—*What you say,* replied Cyneas, *seems very probable indeed. But is the conquest of Sicily to put an end to our expeditions?—*No certainly, cried the King; *these successes will be only preludes to greater enterprises. Who, in such a case, could forbear passing into Africk, and to Carthage? It is but a step thither. And, when we have subdued these, what think you? Will any of those enemies, who now give us uneasiness, have once the boldness to withstand our arms? We shall then easily recover Macedon, and not only so, but in a little time be masters of all Greece.*—*Very true,* said Cyneas, *nothing can be clearer. But when we have completed all these Conquests, What shall we do then?—*Pyrrhus smiling, *Do then? Why, then we we will live at our ease, my Good Friend, and drink, and feast, and spend our days in agreeable conversation.*—*Ah, Sir,* replied the Philosopher, *What hinders you from immediately possessing that happiness which you propose to purchase at the expence, so much danger?**

Year of
R O M E.
ccclxxii.
Bef. J. C.
Two
hundred
eighty.
1718
Confu-
ship.

These

* *Monsieur Paschal, in his discourses of the Misery of Man, has a much admired reflection on this advice of CYNEAS to PYRRHUS.*

THESE is nothing more capable of letting us into the knowledge of human misery than an inquiry after the real cause of that perpetual hurry and confusion, in which we pass our lives.

The soul is sent into the body, to be the sojourner of a few days. She knows that this is but a stop, till she may embark for eternity; and that a small space is allowed her to prepare for the voyage. The main part of this space is ravished from her by the necessities of nature; and but a slender pitance left to her own disposal: And yet this moment which remains does so strangely oppress and perplex her, that the only studies how to lose it: She feels an intolerable burthen, in being obliged to live with herself, and think of herself; and therefore her principal care is to forget herself; and to let this short and precious moment pass away without reflection, by amusing herself with things which prevent her notice of its speed.

4 H 2

This is the ground of all the tumultuary business, of all the trifling diversions amongst men; in which our general aim is to make the time pass off our hands without feeling it, or rather without feeling ourselves; and, by getting rid of this small portion of life, to avoid that inward disgust and bitterness, which we should not fail to meet with, if we found leisure to descend into our own breasts. For it is undeniably certain that the soul of man is here incapable of rest and satisfaction. And this obliges her to expand herself every way, and to seek how she may lose the thoughts of her own proper being in a settled application to the things about her. Her very happiness consists in this forgetfulness: and, to make her exquisitely miserable, nothing more is required but the engaging her to look into herself, and to dwell at home.

We charge Persons from their very infancy with the care of their own fortunes and honours, and no less of the estates and dignities belonging to their kindred and friends. We burthen them with the study of lan-
guages,

Year of
R O M E
ccclxxii.
Bef. J. C.
Two
hundred
eighty.

171st
Consul-
ship.

These words rather vexed the King, than diverted him from his design; for he could not part with the pleasing hopes he had entertained.

To

guages, of exercises, and of arts. We enter them in business, and persuade them that they can never be truly blessed, unless by their industry and caution they in some measure secure the interest and glory of themselves, their families, and their dependents; and that unavoidable unhappiness is intailed upon the failure of any one particular in this kind. Thus we teach them to wear out their strength, and to rob themselves of their rest. A strange method (you will say) of making them happy! What could be done with more effect towards the insuring them in misery (Would you know what? Why, only to release them from these cares, and to take off these burthens. For then their eyes and their thoughts must be turned inward, and that is the only hardship which they esteem insupportable. Hence if they gain any relaxation from their labours, we find them eager to throw it away upon some sport or diversion, which takes up their whole activity, and pleasantly robs them of themselves.

It is for this reason, that when I have set myself to consider the various agitations of human life, the toil and danger, to which we expose ourselves in the court, in the camp in the pursuits of ambition, which give birth to so much passion and contention, to so many fatal and desperate adventures, I have often said that the universal cause of men's misfortunes was their not being able to live quietly in a chamber. A person who has enough for the uses of this world, did he know the art of dwelling with himself, would never quit that repose and security for a voyage or a siege; nor would take so much pains to hazard his life, had he no other aim than barely to live.

But, upon stricter examination, I found, that this aversion to home, this roving and restless disposition proceeded from a cause, no less powerful than universal; from the native unhappiness of our frail and mortal state which is incapable of all comfort, if we have nothing to divert our thoughts and to call us out of ourselves.

I speak of those alone who survey their own nature, without the views of faith and religion. It is indeed one of the miracles of Christianity, that, by reconciling man

to God, it restores him to his own good opinion; that it makes him able to bear the sight of himself; and in some cases renders solitude and silence more agreeable, than all the intercourse and action of mankind. Nor is it by fixing man in his own person, that it produceth these wonderful effects; it is by carrying him to God, and by supporting him under the sense of his miseries, with the hopes of an assured and complete deliverance in a better life.

But, for those who do not act above the principles of mere nature, it is impossible they should, without falling into an incurable chagrin and discontent, undergo the lingering torment of leisure. Man who loves nothing but his own person hates nothing so much as to be confined to his own conversation. He seeks nothing but himself and yet flies and avoids nothing more than himself: because when he is obliged to look within he does not see himself as he could wish: discovering only a hidden store of inevitable miseries, and a mighty void of all real and solid good, which it is beyond his ability to replenish.

Let a man chuse his own condition, let him embellish it with all the goods and all the satisfactions he can possess or desire; yet, if in the midst of this glory and pride he is without business, and without diversion, and has time to contemplate on his fortunes, his spirits must unavoidably sink beneath the languishing felicity. He will of necessity torment himself with the prospect of what is to come; and he that boasted to have brought home all the ingredients of happiness, must again be sent abroad, or condemned to domestic misery.

IS Majesty itself so truly great, and sufficient, as to support those whom it adorns and incircles, under the bare thought of their own grandeur? Is it necessary that this thought should be here likewise diverted, as in the common herd of men? A vulgar person will be abundantly happy, if he may ease himself of his secret troubles, by applying all his care to excel in the perfection of dancing. But dare we say this of a king?

Or,

To conceal his design of making himself master of *Tarentum*, as well as of the rest of *Italy*, he artfully inserted a clause in the treaty with his allies, Year of
R O M E
ccclxxii.
Bef. J. C.

Two
hundred
eighty.

174 ft
Consul.
ship.

Or, will he be more charmed with so vain and petty amusements, than with the contemplation of his royal dignity and estate? What nobler, what more sublime object than himself, to engage and to satisfy his spirit? Might it not seem an envious lessening of his content to interrupt his princely thought with the care of measuring his steps by an air of musick, or of exactly ordering a ball, instead of leaving him to survey the glories of his throne, and to rejoice in the excellence of his power? Let us presume to make the experiment: Let us suppose a prince in solitude, without any entertainment of sense, any engagement of mind, any relief of conversation; and we shall find that a prince with his eyes upon himself is a man full of miseries, and who feels them with a quick and piercing resentment as the lowest among his slaves. And therefore it has been a standing maxim to banish these intruding and importunate reflections from court, and to keep about the *Royal Person* those who shall constantly purvey for the amusement of their master, by laying a train of diversions to succeed after business, and by watching his hours of leisure, to pour in immediately a fresh supply of mirth and sport; that no vacancy may be left, in life, that is, the court abounds with men, who have a wonderful activity in taking care that *His Majesty* should not be alone, well knowing that solitude is but another name for misery, and that the supreme pitch of worldly greatness is too nice and weak, to bear the examination of a thought.

—WHENCE comes it to pass, that men are transported to such a degree with gaming, hunting, or other diversions, which seem to have taken an absolute possession of their souls? not because there is any real and intrinsic good to be obtained by these pursuits; not because they imagine that true happiness is to be found in the money which they win at play, or in the beast which they run down in the chase: For, should you present them beforehand with both these, to save their trouble, they would be unanimous in rejecting the proposal. It is not the gentle and easy part which they are fond of, such as may give them leisure and space for thought; but it is the heat and the hurry, which divert them from the mortification of thinking.

—A MAN, that by gaming every day for some little stake, passeth away his life without uneasiness or melancholy, would yet be rendered unhappy, should you give him every morning the sum which he could possibly win all day, upon condition to forbear. It will be said, perhaps, that it is the amusement of the play which he seeks, and not the gain. Yet, if he plays for nothing, his gaiety is over, and the spleen recovers full possession. Bare amusement, therefore, is not what he proposeth; a languishing amusement without heat or passion would but dispirit and fatigue him: He must be allowed to raise and chase himself, by proposing a happiness in the gaining of that which he would despise, if given him not to venture; and by creating a fictitious object, which shall excite and employ his desire, his anger, his hope, and his fear.

—WE have seen the utmost that human invention can do, in projecting for human happiness. Those who content themselves barely with demonstrating the vanity and littleness of common diversions, are indeed acquainted with one part of our miseries; for a considerable part it is to be thus capable of taking pleasure in things so base and insignificant. But they apprehend not the cause and principle which renders these miseries even necessary to us, so long as we remain uncured of that inward and natural infirmity of not being able to bear the sight of our own condition. The hare which men buy in the market cannot screen them from this view; but the field and the chase afford an approved relief. And therefore when we reproach them with their low and ignoble aim, and observe to them how little satisfaction there is in that which they follow with so much contention and ardour, did they answer upon mature judgment, they would acknowledge the equity of our censure and would ingenuously declare, that they proposed nothing in these pursuits but the bare violence of the motion, such as might keep them strangers to the secrets of their soul; and that therefore they made choice of objects, which, how worthless soever in reality, were yet of an engaging and attractive nature, and able to engross the activity of all their powers. And the reason why they do not answer in this manner is the want of this acquaintance with their own

Year of allies; That, when he had delivered them from their dangers, he should not be hindered from returning to Epirus. And, to secure their fidelity, he detained some of their ambassadors under pretence of wanting their assistance. After these precautions, he sent away *Cyneas* with three thousand men to *Tarentum*. This eloquent minister soon found means to depose *Agis* from the Government, and to get possession of the Citadel.

In the mean time *Emilius*, the Roman Consul, finding that there was no possibility of attempting any thing with success against *Tarentum* this campaign, resolved to march his army into winter quarters in *Apulia*. Being obliged to pass through certain defiles, streightened by the sea on one side, and high hills on the other, he was there attacked by the *Epirots* and *Tarentines* from great numbers of barks fraught with *Balistsæ* (Engines for throwing stones of a vast weight) and from the hills which they had covered with archers and slingers; nevertheless by placing, between him and the enemy, his *Tarentine* prisoners, whom they were unwilling to hurt, he preserved his Legions from suffering any considerable loss. Having quartered his troops, he himself repaired to *Rome*, where his colleague *Marcus* had a Triumph for some conquests he had made in *Hetruria*.

C H A P.

own bosom. A gentleman believes with all sincerity that there is somewhat great and noble in Hunting, and will be sure to tell you, that it is a Royal Sport. You may hear the like defence and encomium of any other exercise or employment, which men affect or pursue. They imagine that there must needs be somewhat real and solid in the objects themselves. They are persuaded, that, could they but gain such a point, they should then repose themselves with content and pleasure; and are under an insensibility of the insatiable nature of this desire. They believe themselves to be heartily engaged in the attainment of rest, while they are indeed employed in nothing else but the search of continual and successive drudgery.

Men have a secret instinct, prompting them to seek employment or recreation; which proceeds from no other cause but the sense of their inward pain and never-ceasing torment. They have another secret instinct, a relique of their primitive nature, which assures them, that the sum of their happiness consists in ease and repose. And upon these two opposite instincts they form one confused design, lurking in the recesses of their soul, which engages them to prosecute the latter by the intervention of the former, and constantly to persuade themselves, that the satisfaction they have hi-

therto wanted will infallibly attend them, if by surmounting certain difficulties, which they now look in the face, they may open a safe passage to peace and tranquillity.

Thus our life runs out. We seek rest, by encountering such particular impediments, which if we are able to remove, the consequence is, that the rest which we have obtained becomes itself a grievance. For we are ruminating every moment either on the miseries we feel, or on those we fear. And, even when we seem on all sides to be placed under shelter, the affections, which are so naturally rooted in us, fail not to regret their lost dominion, and to diffuse their melancholick poison through the soul.

AND therefore when *Cyneas* so gravely admonished *Pyrrhus*, who proposed to enjoy himself with his friends, after he should have conquered a good part of the world, that he would do much better to anticipate his own happiness, by taking immediate possession of this ease and quiet, without pursuing it through so much fatigue: The counsel he gave was indeed full of difficulty, and scarce more rational than the project of that young ambitious Prince. Both the one and the other opinion supposed that which is false, that a man can rest satisfied with himself and his present possessions, without filling up the void space in his heart with imaginary expectations.

Pyrrhus

Pyrrhus must inevitably have been unhappy, either without or with the conquest of the world ; and, perhaps that soft and peaceful life, which his minister advised him to embrace, was less capable of giving him

satisfaction, than the heat and tumult of so many expeditions, and so many battles, which he was then forming and fighting in his mind. *See Pensées de Pascal c. 26. as translated by Mr. Basil Kennet.*

Year of
R O M E
ccclxxii.
Bef. J. C.
Two
hundred
eighty.

C H A P. XXVI.

17th
Consul-
ship.

§. I. *Pyrrhus* (whose character is given) *being arrived at Tarentum takes measures to turn the Tarentines from the pursuit of Pleasures, to which they are intirely addicted. The villainous behaviour of a Legion of Campanian Soldiers, which had been sent by the Roman Republick to garrison Rhegium at the request of the inhabitants.* §. II. *Pyrrhus sends a letter to the Consul Lævinus, requiring him to submit the quarrel between Rome and Tarentum to his arbitration. Lævinus, in answer, returns a defiance. The Romans force Pyrrhus to a battle.* §. III. *The King, though victorious, declines a second battle with Lævinus, and returns to Tarentum.* §. IV. *His conversation with Fabricius, sent from Rome to treat with him concerning the ransom of Prisoners. The King sends Cynceas to Rome with proposals of Peace. The Senate moved chiefly by a warm speech of Appius Claudius (now blind) unanimously refuse to enter into any treaty of Peace with the King while he continues in Italy.*

§. I. **T**HE Consuls for the new year were *P. Valerius Lævinus* and *T. b. Coruncanius*, the latter not a *Roman* by birth, but raised to the Consulship purely for his merit. He was of *Cumerium*, one of the *Roman Municipia* in *Latium*. It fell to him by lot to carry on the war in *Hetruria*, and to his Collegue to conduct that against the *Tarentines*. *Æmilius* was continued in the command of his own Troops in quality of *Proconsul*, and was ordered to march against the *Salentines* (in *Iapygia*), who had declared for the *Tarentines*. The present exigence of affairs obliged the *Romans* to enlist the *Proletarii*. These (as has been formerly observed) were the meanest of the People, and esteemed not capable of doing the State any service except that of peopling the city ; hitherto they had never been suffered to bear arms : A wise part of *Roman Policy*, to make it an ignominy to be excluded from serving their country in war.

Year of
R O M E
ccclxxiii
Bef. J. C.
Two
hundred
seventy-
nine.
17th
Consul-
ship.
Tab.
Claud.
Cæsar.
apud Lug-
dunenses.
Oros. B.
4. c. 1.
Justin. B.
18. c. 1.
Zon. B. 8
Plut. Life
of Pyrr-
hus, 39.
lefs,

Pyrrhus was now arrived at *Tarentum*, having narrowly escaped shipwreck. The *Tarentines*, soon after the arrival of *Cynceas*, had sent to the King a great number of Gallies, flat-bottomed Vessels, and other Transports, whereon to embark his forces ; and he had sailed from *Epirus* with 20 Elephants, 3000 Horse, 20000 heavy-armed Foot, 2000 Archers, and 500 Slingers. When he was got out to sea, the wind rising suddenly at North, and blowing hard, he was driven out of his course. Neverthe-

Year of
R O M E
ccclxxiii
Bet. J. C.
Two
hundred
seventy-
nine.
172d
Consul-
ship.

less, by the great skill and diligence of the pilots and seamen, the King's ship bore with the land, and kept the *Italian* coast; but the rest of the fleet could not get up; some of the ships were driven into the *Lybian* and *Sicilian* seas; others, not being able to double the Cape of *Iapygia*, and a very boisterous sea throwing them in the night upon a rocky shore, they all suffered great damage. The Admiral, by her strength and bulk, resisted the violence of the weather; but the wind coming about, and blowing directly in her teeth from the shore, and the vessel keeping up her head against it, she was in danger of opening at every shock she sustained from the high billows that broke over her. On the other hand to be driven off again to sea in a raging tempest, and when the wind was continually shifting about, seemed the greatest of all evils. In this extremity, the vessel not being far from land, *Pyrrhus* without hesitation threw himself into the sea. His friends and guards instantly followed him, striving with emulation to assist and save him, which the darkness of the night, and the impetuosity of the waves, that were repelled with a roaring noise from the shore, made extremely difficult. However, by day-break, the wind being then quite laid, he got ashore, much fatigued and weakened in body, but with undaunted courage, and strength of mind superior to the most adverse fortune. The *Messapians*, upon whose coast the King was cast, hastened to give him all the assistance in their power, and they also went out to meet and succour some of his vessels, which were not far off, and in which were found a few Horse, two Elephants, and about 2000 Foot. *Pyrrhus*, having drawn these together, marched with them directly towards *Tarentum*. *Cyneas*, upon the news of the King's approach, led out his troops to meet him, and conducted him into the city, where he was received with the acclamations of the People.

Plut. in
Pyrrh. P.
387.

PYRRHUS (as we learn from *Plutarch*) had in his countenance a Majesty that was rather terrible than august. In a day of battle he was thought to resemble *Alexander* in look, agility, impetuosity, and strength of arm. His consummate knowledge in the art of war appeared even from the books he wrote upon that subject. *Antigonus* being asked, *Who was the greatest Captain (of that time)* answered, *PYRRHUS, if he lives to be old*: But *Hannibal* afterwards, speaking of great Commanders in general, gave *Pyrrhus* the first * place in the whole list. War was indeed his only study, and the only science he thought worthy of a Prince. Nevertheless he had a great share of humanity in his natural temper, was affable and familiar to his friends, not easily provoked to anger, and the most ardent of all men living to requite obligations. For which reason when *Æropus* died, who had done him important services, he could not bear it with any moderation: *Not because his friend had paid the indispensable tribute to nature, (to die, he said, was common to all) but because he himself, by delays, had lost the opportunity of requiting the kindnesses he had received from*

* *Plutarch*; in his life of *Flaminius*, makes *Hannibal* give *Alexander* the first place, and *Pyrrhus* the second.

him: For, as PLUTARCH adds, though money-debts may be discharged by payment to the heirs of the creditor when he is dead, a debt of kindness can never be satisfied but by a return of kindness to the friend himself: and, if he dies unrequited, it will always be a pungent grief to the person obliged, if he have a good and honest heart.

Year of
R O M E.
ccclxxiii
Bef. J. C.
Two
hundred
seventy-
nine.
—
152d
Consul-
ship.
In Pyrrh.
p. 400.

His chief faults were boundless ambition, and a strange inconstancy in the pursuit of its objects. Fond of a new enterprise, he was always ready to quit it how successfully soever begun, the moment that a newer presented itself to his imagination. Whatever, says PLUTARCH, he acquired by his exploits, he lost by his vain hopes; his impatience to pursue what he had not yet attained would not let him secure what he had already won; which made *Antigonus* compare him to a man at Dice, who has admirable fortune, but plays ill.

While *Pyrrhus* was waiting for the arrival of his scattered forces, he observed the dispositions of the *Tarentines*, and was surpris'd to see how their minds were intirely bent to pleasures, in which they thought to indulge themselves as usual, while he and his *Epirots* were to fight in their defence. To remedy this mischief, which must otherwise naturally end in the ruin of themselves and their defenders, he, as soon as his troops had joined him, shut up the publick gardens and walks, where the inhabitants used to meet to talk of news and politicks; he forbad publick feasting, plays, and masquerades, and incorporated the best-bodied men of the people in his *Phalanxes*. The effeminate *Tarentines* groaned under these wholsome regulations, in the execution of which the King was very rigorous. They found they had got a Master instead of an Ally; many of them rather, than endure such strict discipline, withdrew from the city, while others expressed their discontent by secret murmurs and loud complaints. *Pyrrhus* had his spies in the city, who insinuated themselves into all companies, and brought him an account of the discourses of the malecontents. One day some young debauchees, heated with wine, gave their tongues an unbounded liberty in talking against the King's measures. *Pyrrhus*, being informed of it, ordered them to be brought before him: *Is it true*, said he, *that you have uttered against me those outrageous things you are accused of?* *It is very true*, answered one of them; *and we should have said more, if our wine had not failed us.* *Pyrrhus* smiled and dismissed them.

Plut. in
Pyrrh. p.
392.

Val. Max
B. 5. c. 1

But (if we may believe *Zonaras*) he was not so moderate with regard to some of the Citizens, whose intrigues he suspected and feared; he caused the most factious of them to be dispatched by private assassinations. To get rid of one *Aristarchus*, a great Orator, and much in credit with the People, he commissioned him to go to his son in *Epirus*, on some business which he pretended to be of great importance. *Aristarchus* saw through the artifice; and, the master of the vessel in which he was to sail being at his devotion, instead of going to *Greece*, he fled to a port of *Italy*, and went thence to *Rome*. What advice he gave the Romans is uncertain: But *Fabircius* was dispatched away to visit the

B. 8.

Dion.
apud
Fulv. U-
suum.

Year of *nies* and allies of the Republick. Nor was the precaution unnecessary at a time when a Prince, so illustrious for his exploits in the East, undertook to deliver the *Italians* from the domination of the Republick.

ccclxxiii
Ref. J. C.
Two
hundred
seventy-
nine.
172d
Consul-
ship.
Polyb. B.
I. c. 7.
Liv. Epit.
11.
An extraordinary event, which had happened a little before, had also given the *Romans* much uneasiness, and brought a great discredit on them in their *Colonies* and among their *Allies*. While *Pyrrhus* was coming to *Tarentum*, and the *Carthaginians* infested all the coasts of the *Ionian* sea, the inhabitants of *Rhegium*, situated in the southern extremity of *Italy*, near *Sicily*, applied to the Republick for a *Roman* Garrison to defend them from an Invasion. A *Legion* was raised in *Campania* for that purpose, and sent to them under the command of one *Decius Juba*. These soldiers, who had been used to a laborious life, began soon to envy the inhabitants the pleasures and ease in which they lived, and it was not long before they formed and executed a scheme to make those advantages their own. They forged letters from the *Rhegians* to *Pyrrhus*, importing an offer to put the place into his hands; and under this pretext they massacred all the chief men of the place at a banquet, and then fell upon the rest, whom they either put to the sword, or drove out of the city. As for the women, they obliged them to marry the murderers of their fathers and husbands. This news was brought to *Rome* at the time when the circumstances of the Republick would not allow the *Romans* to take vengeance on the perfidious *Legion*.

Plut. in
Pyrrh. p.
392.
§. II. *PYRRHUS*, hearing at *Tarentum* that the Consul *Lævinus* was come with an army into *Lucania*, a province in alliance with the *Tarentines*, and was committing hostilities there, thought it shameful to continue longer shut up within walls; and though he had not received any reinforcements from the *Samnites* and *Messapians*, or other allies of the *Tarentines*, he took the field. But first he wrote the following letter to

Zon. B. 8.
Lævinus: *PYRRHUS* to *LÆVINUS* Health. I am informed that you command an army which is to make war against the *Tarentines*. Disband it without delay, and then come and expose your pretensions before me. When I have heard both parties, I will give judgment, and I know how to make my sentence be obeyed. To this *Lævinus* answered: Know, *Pyrrhus*, that we neither admit you for a Judge, nor fear you as an enemy. Does it become you to assume the character of a Judge over us, you who have yourself injured us by landing in *Italy* without our consent? We will have no Arbitrator but *Mars*, the author of our race, and the protector of our arms. The King, who expected no other kind of answer, marched his army without delay into the plain between the cities of *Pandosia* and *Heraclea*; and understanding that the *Romans* were incamped not far from him on the other side the *Siris*, (a river which waters the country then called *Lucania*, and which empties itself into the Gulph of *Tarentum*) he rode up to the banks of it to take a view of their camp. When he had considered it well, its form and situation, with the manner in which the *Romans* posted their advanced guards, and had observed some other parts of their discipline, he was much surprised, and turning to one of his friends

friends who stood near him, *Megacles*, said he, *this ORDER of the Barbarians is not Barbarian. What they are able to do in fight we shall see hereafter.* And, being now a little more anxious about the success of the war than before, he resolved to wait within his camp for the arrival of his confederates; and he posted some troops on the banks of the river to hinder the Romans from passing it. *Lævinus* nevertheless, knowing of what consequence it was to come to an engagement with the *Epirots* before he could receive the reinforcements he expected, and having exhorted his troops not to be intimidated by the reputation of *Pyrrhus*, or by his Elephants (animals which they had never yet seen) made his Infantry ford the stream in the very face of the enemy's advanced guard, while his Cavalry passed the river in different places, and wherever they could; so that the *Epirots*, fearing to be surrounded, retired in all haste to their main body. *Pyrrhus* upon the first notice of this motion, which much surprised him, directing the Officers of his Infantry to range their troops in battalia, and keep them ready to march upon the first signal, he himself, with the Horse amounting to about 3000, advanced with all diligence to charge the Romans, before their whole army could recover firm footing, and get into order. But the Roman Cavalry, being already formed, received him as men well exercised in sustaining furious attacks. The beauty and lustre of the King's arms made him very conspicuous, and his actions presently convinced all who observed him, that his reputation did not exceed his merit; for in this fight neither did his courage transport him beyond the duties of a careful General, nor his attention to direct others hinder him from displaying his personal Valour.

During the heat of the combat, *Leonatus* a Macedonian, observing that an Italian horseman had singled out the King, whose every motion he watched and followed, gave *Pyrrhus* notice of it, advising him to beware of that Barbarian, who, he said, seemed to have formed some great design. *PYRRHUS* answered: *No man, LEONATUS, can avoid his Destiny; be assured, however, that neither that Italian, nor any other, shall have much satisfaction from an Encounter with me this day.* He had scarce ended these words, when the Italian quickening his horse, and making directly at the King, aimed a furious stroke at him with his lance, but wounded only his horse; *Leonatus*, at the same time, wounded that of the Italian, and both horses fell to the ground with their riders. *Pyrrhus* was instantly surrounded by a troop of his friends, who carried him off, having slain the Italian, who fought with great bravery.

This adventure taught *Pyrrhus* to be more cautious. Seeing his Cavalry shrink, he ordered his Infantry to advance; but, before he put himself at their head to renew the charge, he gave his mantle and arms to *Megacles*, in exchange for his. The battle was obstinately fought on both sides, and the victory continued a long time doubtful. The King's changing his arms (though prudently done for the safety of his person) had like to have lost him the day. For *MEGACLES*, being mistaken for the KING, was attacked by great numbers of the enemy, and

Year of
R O M E
ccclxxiii
Bef. J. C.
Two
hundred
seventy-
nine.
172d
Consul-
ship.

Year of at last wounded and unhorsed by a *Roman* Knight, who, pulling away his
 R O M E helmet and mantle, rode full speed with them to *Lævinus*, crying out.
 cccclxxiii that he had slain *Pyrrhus*. These spoils being carried as in triumph through
 Bef. J. C. all the ranks filled the *Roman* army with inexpressible joy, so that the air
 Two rung with shouts of victory; while the *Grecian* troops were struck with
 hundred consternation and dismay.
 seventy-
 nine.

172d
 Consul-
 ship.
 Plut. p.
 394.

The King no sooner perceived the ill effect of this mistake, but with all diligence he flew along the Lines bare-headed, stretching out his hands to his soldiers, and by his voice confirming the evidence of their eyes. The combat was then renewed, and *Pyrrhus*, bringing his elephants into the wings, quickly obtained the victory. For the *Roman* Battalions seeing their Cavalry put to rout by those huge animals, whose unusual form, noises, and smell, terrified the horses, and finding themselves both charged in flank, and overborne by the force and bulk of those strange beasts, gave way to necessity, and saved themselves as well as they could by hasty flight; nor did they stop to defend their camp, but ran quite beyond it, leaving both that and the honour of the day intirely to *Pyrrhus*.

Dion.
 apud
 Plutarch.

Dionysius writes, that near 15000 *Romans* were slain in this battle, and that *Pyrrhus* lost 13000 of his men. But other authors lessen the loss on both sides. The King treated the prisoners, mounting to about 1800, with all possible humanity, and esteemed them the more for refusing to inlist themselves in his service.

Plut in
 Pyrrh.
 p. 394.
 Lon. B. 8.

The fame of this victory was soon spread over all *Italy*, much to the reputation of *Pyrrhus*; for it was a rare thing, that a *Roman* Consul, with a select army, should lose in a pitched battle not only the field, but the camp itself. And this honour was the more bravely won by the *Epirot*, as he had none of his *Italian* Allies to assist him, except the unwarlike *Tarentines*. Neither could he well dissemble his content in having the glory of this action so peculiarly his own. His satisfaction was visible in his face, even while he was severely reprimanding the *Lucanians* and *Samnites* (who joined him soon after the battle) for their tardiness. To attach them the more firmly to him, he gave them a share of the booty.

§. III. BUT now the King of *Epirus*, with his victorious army, broke like a torrent into the countries in alliance with the Republick, and, many cities surrendering to him, he advanced within 30 miles of *Rome*. *Zonaras* relates, that the King, being disappointed in his designs upon *Capua* and *Naples*, thought to march into *Hetruria*, join the enemies of the *Roman* Republick in that country, and thence go and besiege *Rome*; but that hearing there was an alliance just concluded between the *Hetrurians* and *Romans*, and that the Consul *Coruncanius*, who by a successful

* *Florus*, (Book I. c. 18.) in his poetick strain tells us, that *Pyrrhus* from a hill near *Præneste* took a view of *Rome*, and filled the eyes of the trembling inhabitants with

smoke and dust at twenty miles distance à
*vicefimo lapide oculos trepidæ civitatis fumo ac
 pulvere implevit.*

campaign had effected that alliance, was advancing against him, he proceeded no further in his march. It appears, indeed, by the *Capitoline Marbles* that *Tib. Coruncanius* had a Triumph for his victories this year over the *Volsinenses* and *Volcientes* in *Hebruria*. And it is not improbable that these victories completed the reduction of that country. Be that as it will, it is certain that *Pyrrhus* returned to *Tarentum*.

Year of
R O M E
ccclxxiii
Bef. J. C.
Two
hundred
seventy-
nine.

172d
Consul-
ship.

Zonaras,
B. 8.

Florus, B.

Zonaras,
B. 8.

The Romans, notwithstanding the great loss they had sustained, were not so dejected, as to have any thought of asking peace from the victor; nor, tho' *Fabricius* said publicly, that the Epirots had not vanquished the Romans, but that *Pyrrhus* had vanquished *Lævinus*, did they retall the unfortunate Consul: Their whole attention was to recruit his army, and enable him to try a second engagement. *Pyrrhus*, in his return to *Tarentum*, found him in *Campania*, with a more numerous army than that which he had vanquished on the Banks of the *Siris*; and hereupon he is said to have cried out, *I see plainly I was born under the star of Hercules, I have to do with an Hydra, whose Heads are no sooner lopped off, but new ones spring up from its blood.* The Consul offered him battle; *Pyrrhus*, unwilling to refuse it, drew up his army, and commanded the conductors of his elephants to force them to make their strange and dreadful noises, in order to frighten the Roman Legions; but these noises were answered by so universal and terrible a shout from the Romans, that the King who found his soldiers dismayed thought fit to decline the engagement, pretending that the Omens were not favourable; and, the Consul not forcing him to fight, he pursued his march to *Tarentum*.

§. IV. WHILE *Pyrrhus* continued quiet in this city, he had time to reflect on the bravery, conduct, and strength of the Romans. He considered that they were better able to endure many such losses as they had suffered, than he many such victories as he had won. And he concluded therefore, that the only means to save his reputation was an honourable peace. He was full of these reflections, when to his inexpressible joy he heard that an embassy was coming to him from the Senate; he

* Authors are not agreed concerning the time of this embassy, whether it was after *Cyneus* had been to Rome or before. *Plutarch* (whom Mr. *Rollin* follows) makes it posterior to *Cyneus's* journey thither; and *Dionysius* seems to do the same. But if we consider the haughty manner in which *Cyneus* was dismissed by the Senate, with an absolute refusal of entering into any treaty with the King while he continued in Italy, at least it is very unlikely that *Fabricius*, after such a refusal, should apply himself to *Pyrrhus* in the manner *Dionysius* represents, preaching about the inconsistency of fortune, and as if he was asking a favour. He is made to speak more like an ambassador from a people who sued for peace, than from the proud Roman Senate, who rejected it even upon reasonable terms. *Hannibal*, indeed, before

the battle of *Zama*, talks much to *Scipio* of the mutability of fortune, and the vicissitudes of war; but this was in order to dispose him to grant peace to the Carthaginians, whom he had reduced to extremity.

FlorEpit.
and Zon.
L. 8.

Neither can I see what there was unbecoming in *Fabricius's* proposal, even upon the supposition that the Roman had rejected a peace offered. A release of prisoners by way of ransom or exchange, is what surely without any indecency may be proposed to an enemy, notwithstanding that a peace has been refused to that enemy upon his terms. Yet *Dionysius* makes *Pyrrhus* reprove the ambassadors as guilty herein of an unworthy proceeding—Σχέτιόν τι πράγμα ποιεῖτε, &c.—*D. Hal.* in Legat. p. 711. Dr. *Hudf.* edit.

See D.
Hal. in
Legat.

pleased

Year of. pleased himself with the imagination, that it was to ask that peace, which he himself so much desired. But when the three Roman Ambassadors, *Cornelius Dolabella, Fabricius, and Æmilius Papus*, after a splendid reception, were admitted to an audience, they proposed nothing more than a release of the Roman Prisoners, either by way of exchange, or for such a ransom per head, as should be agreed upon. Pyrrhus, after a moment's silence, answered, *That he would consider of the matter, and let them know his resolution.* Accordingly he assembled his Council; and there *Cyneas*, who knew his master's inclination, proposed that an embassy should be immediately sent to Rome to negotiate a peace, of which one of the conditions should be the release of the Roman Prisoners without ransom. The rest of the Council declared themselves of the same opinion, and the King gave the Romans an answer conformable to it.

Pyrrhus after this desired a private conference with *Fabricius*, who, he had heard, was the man most esteemed, for his virtue, of any in the Republick, a brave and able warrior, and very poor. The King, taking him apart, told him, *He had been informed of his distinguished merit, and of his poverty so unsuitable to it; that he thought, a prince could never employ his wealth and power to a nobler purpose, than that of raising the fortune of an indigent great man; and that for this reason he had resolved to bestow such riches upon him, as should put him, at least, upon an equality with the most opulent nobles of Rome.* The King added; *nor yet imagine, FABRICIUS, that my intention is to ask any thing, in return, that can be inconsistent with the regard you owe your country. I demand nothing but your aid in negotiating the peace which I am desirous to conclude with the Roman Senate. You know very well, that I cannot with honour abandon the Tarentines, and the other Greeks who are settled in this part of Italy, before I have secured to them a peace with Rome upon equitable terms. Some pressing affairs call me back into my own country, and this makes me the more solicitous to finish our war by an amicable treaty. If my being a KING renders me suspected by the Senate, because*

Plut. in
Pyrrh.

* The Greek Historians seldom lose any occasion of letting us know their unfavourable opinion of Kings. *Plutarch*, speaking of this very *Pyrrhus*, says, *KINGS have no reason to complain when inferior men change sides, and violate faith for private advantage, seeing, in this, they do but imitate them who are the great masters in perfidy and treachery; and whose maxim is, that no man pursues his own interest with so much prudence, as he who has no regard to justice.*

And *Polybius* (L. ii. p. 202.) reproves the folly of *Phylarchus*, an historian, who, in giving an account of the miserable end of *Aristomachus*, King of *Argos*, whom (as he pretends) the *Achaïans* had put to death by torture, endeavours to heighten the glory of the sufferer, and excite the greater indig-

nation against his persecutors, by saying, "That *Aristomachus* was not only an ABSOLUTE PRINCE, but descended from ancestors who had been ABSOLUTE PRINCES. What more bitter accusation (says *Polybius*) could any one easily have brought against him? What charge heavier with crimes could he have loaded him with? For surely this name of ABSOLUTE PRINCE expresses the very height of impiety; it imports all the kinds of injustice and wickedness, that can be committed by man." Καίπερ ὁ συγγραφεὺς βελδομένος αὐτεῖν αὐτῇ τὴν δόξαν καὶ παρατήσασθαι τῆς ἀκρόντας εἰς τὸ μᾶλλον αὐτῷ συναγαγακτεῖν ἐφ' οἷς ἴπαθεν, ἢ μόνον αὐτὸν φησὶ γεγοῖναι τύραννον, ἀλλὰ καὶ ἐκ τυράννων πεφυκέναι. ταύτης δὲ μείζω κατηγορίαν τὴν στικρωτέραν

cause other princes have made no scruple to violate the faith of treaties, be Year of
you yourself my security. When the peace is made, come and assist me with your ROME
counsels; I will undertake nothing without your advice; you shall be my chief cccclxxiii
minister, my lieutenant in the field, nay a sharer with me in all that I possess. Bef. J. C.
I have need of an honest man and a faithful friend, and you have need of a ge- Two
nerous Prince, a Prince, whose munificence may enable you to make your virtues hundred
and your talents for great affairs more conspicuous, and more useful: Let us seventy-
therefore mutually contribute to each other's happiness. nine.

FABRICIUS answered in words to this effect:

You have, indeed, been rightly informed concerning my poverty. My whole 172d
estate consists in a house of but mean appearance, and a little spot of ground, Consul-
from which, by my own labour, I draw my support. But if, by any means, ship.
you have been persuaded to think that this poverty makes me less considered in
my Country, or in any degree unhappy, you are extremely deceived. I have
no reason to complain of Fortune. She supplies me with all that nature re-
quires, and, if I am without superfluities, I am also free from the desire of
them. With these, I confess, I should be more able to succour the necessitous,
the only advantage for which the wealthy are to be envied: but, as small as
my possessions are, I can still contribute something to the support of the
state, and the assistance of my friends. With regard to HONOURS, my
Country places me, poor as I am, upon a level with the richest: For
Rome knows no qualifications for great employments but virtue and ability.
She appoints me to officiate in the most august ceremonies of religion; she in-
trusts me with the command of her armies, she confides to my care the most im-
portant negotiations: my poverty does not lessen the weight and influence of my
Councils in the Senate; the Roman People honour me for that very poverty
which you consider as a disgrace; they know the many opportunities I have had,
indeed, to enrich myself without incurring censure; they are convinced of my
disinterested zeal for their posterity; and, if I have any thing to complain of in
the return they make me, it is only the excess of their applause. What value
then can I set upon your gold and silver? What King can add any thing to my
fortune? Always attentive to discharge the duties incumbent on me, I have A MIND
FREE FROM SELF-REPROACH, and I have an HONEST FAME.

πικροτέρῳ δ' ἐν τῇ αὐτῇ φωνῇ οὐκ ἔστιν ἄλλος ἢ αὐτὸς ὁ
αὐτὸς γὰρ τὸν οὐρανὸν περιέχει τὴν ἀσπεράτην
ἐμφανισίαν, καὶ πᾶσα περιέλαβε τὰς ἐν ἀνθρώποις
ἀδικίας καὶ παρανομίας.

The reader observes that the word
which, in this passage of Polybius, has been
translated ABSOLUTE PRINCE, is τυραννος
[TYRANT] an appellation frequently used
by the ancients to signify only a Prince with
absolute and perpetual power; in which sense
it is used by Phylarchus on the present occa-
sion. We cannot possibly suppose him so
very unskilful in the Pathetic, as to endea-
vour at exciting either indignation or pity

for the sufferings of Aristomachus, by telling
us, that he not only was a TYRANT himself,
but descended from ancestors who had been as
great TYRANTS as he.

Cornelius Nepos, speaking of Miltiades, has
these words.—Chersonesi omnes illos quos
habitarat annos, perpetuam obtinuerat do-
minationem, tyrannusque fuerat appellatus,
sed justus. Non erat enim vi consequutus,
sed suorum voluntate, eamque potestatem
bonitate retinuerat. Omnes autem et ha-
bentur, et dicuntur tyranni, qui potestate
sunt perpetua in ea civitate, quæ libertate
usa est.

Year of
R O M E
ccclxxiii
Bef. J. C.
Two
hundred
seventy-
nine.

172d
Consul-
ship.
Pyrr. p.
395.

Plut. ib.

Plut. ib.
p. 396.

The King, perceiving by this answer that *Fabricius* absolutely refused his offers, pressed him no farther. The next day, knowing that he had never seen an elephant, and being desirous to try whether he could surprise and discompose him, he commanded the largest he had of those animals to be armed, and led to the place where he intended to converse with the ambassador. The beast was to stand concealed behind some hangings till a sign should be made for his appearance. The King's order being punctually executed, the signal was given, the hangings were suddenly drawn aside, and the enormous animal, stretching out his trunk over the head of the *Roman*, made a most terrifying noise. *Fabricius* betrayed not the least emotion, but turning towards *Pyrrhus* said with a smile, *Neither your Gold yesterday, nor your Great Beast to-day, have made any impression upon me.*

While they were sitting at table in the evening, discoursing of various subjects, but especially of *Greece*, and the philosophers of that country, *CYNEAS* happened to mention *EPICURUS*, and he began to relate the principles of the *Epicurean* doctrine: *That the DIVINITY, far removed from love and hatred, compassion and anger, and wholly regardless of human-kind lived through all ages, without action, and without providence, totally absorb in an uninterrupted flow of delights. That PLEASURE was also the SOVEREIGN GOOD of MAN; and, that for this reason, all publick employments, all solicitude for the publick weal, should be carefully shunned by the wise, as inconsistent with a life of happiness.*——*Cyneas* was going on, when with a loud voice, *O HERCULES*, cried *FABRICIUS*, *May PYRRHUS and the TARENTINES be heartily of this SECT, while they are at war with us!* The King greatly admiring the wisdom and virtue of the *Roman* became more desirous than ever to conclude an alliance with his Republick. He therefore, once more, took him apart, and warmly pressed him to imploy his endeavours for a speedy accommodation, earnestly requesting of him at the same time, that, as soon as the peace should be made, he would come and live at his court, where he promised him the first place among all his friends and captains. *Fabricius* answered in a kind of whisper, *You do not consider, SIR, your own interest in what you propose; for, if those who now honour and admire you, come once to have experience of me, they will chuse rather to have me for their King than you.* *Pyrrhus* was not in the least offended with this answer, but to his friends highly commended the exalted soul of the *Roman*; upon whose single parole he also suffered the * prisoners to go to *Rome* to celebrate the festival of the *Saturnalia*.

And now *Pyrrhus* having resolved to send *Cyneas* to negotiate a peace with

* The Senate, (according to *Plutarch*), careful of *Fabricius's* honour and their own, commanded every prisoner upon pain of death to return to *Pyrrhus*, as soon as the festival should be over.

With respect to this affair there is a great

diversity in the accounts of *Plutarch*, *Justin*, *Florus*, and *Zonaras*. Some say the prisoners were absolutely released, and that the Senate, to punish them as cowards, would not suffer them to serve again in the field, but sent them to garrison Towns.

† Other

with the *Roman Senate*, instructed him, if we may believe *Plutarch*, to ask nothing of the *Romans* but their † friendship, and a sufficient security for the *Tarentines*. Upon which conditions he offered to cease all hostilities, release the captives, and assist the Republick in the conquest of *Italy*.

Year of
R O M E.
ccccxxiii
Bef. J. C.
Two
hundred
seventy-
nine.
172d
Consul-
ship.
p. 394.
Just. Plut.
& Mor.

Together with these instructions, *Pyrrhus* furnished his Ambassador with magnificent presents for those persons whose assistance would be necessary to compass what he desired; nor did he forget rare and precious toys for the *Roman Ladies*, * by whose means he hoped to smoothe the rugged spirit of their Husbands, in his favour. Some authors report, that *Cyneas* found both men and women so steady and uncorrupt, that not one of either sex would receive any of his presents: but *Zonaras* affirms, that many even of the Senators were gained by the liberality of *Pyrrhus*. Be that as it will, it is certain, that, after *Cyneas* had had his audience in the Senate, several of the *Conscript Fathers* discovered a strong inclination to accept the peace proposed, assigning for reasons the battle they had already lost, the hazard they were in of losing another (*Pyrrhus's* strength being now greatly augmented by the junction of his *Italian* allies) and the fatal consequences that might attend a second overthrow. A rumour of this disposition in the Senate, being spread through the city, came to the ears of *Appius Claudius*. He had for some time, on account of his great age and the loss of his sight, retired from all publick business, * and confined himself wholly to his family. Upon hearing the report of what passed in the Senate, he caused himself to be carried in the arms of his domesticks to the door of the Senate-house. There his sons and his sons-in-law met him, and led him into the assembly, which was hushed into a profound silence the moment he appeared. The venerable old man was hardly entered, when he thus began:

Plut. in
Pyrrh.
p. 394.

“ Hitherto, *Romans*, I have borne the loss of my sight with weariness
“ and impatience; but my great affliction now is, that I am only *blind*,
“ and that I am not *deaf* too; that I am able to hear of those shameful
“ resolutions you are taking, and of that infamous Treaty which is to
“ extinguish the glory of the *Roman* name. What then is become of
“ all those brave discourses, those lofty, sounding words, with which
“ you are wont to make all places ring, *That if Alexander had come into*
“ *Italy when we were young, and our Fathers in the vigour of their age;*

† Other writers make his demands to be more extensive, and say, that he required, in favour of all the *Greek* cities in *Italy*, the enjoyment of their laws and liberty; and further, that the Republick should restore to the *Samnites*, *Lucanians*, and *Bruttians*, whatever she had conquered from them. These demands, if they were made, may well account for the warm indignation which *Appius Claudius the Blind* expressed, as we shall presently find, at the Senate's listening to *Pyrrhus's* minister. But then it will be difficult

to reconcile them with the offer which *Pyrrhus* at the same time made the *Romans*, to assist them in the conquest of *Italy*. The *Jesuits*, aware of this inconvenience, have made *Cyneas* speak only of the West of *Italy*.

* This *Appius Claudius* had been *Quæstor* in the Y. of R. 435; *Curule Ædile* in 438; and, a second time, in 440; *Censor* in 441; *Consul* in 446; *Prætor* in 448; *Consul*, a second time, in 457; *Prætor*, a second time, in 458; *Dictator* in 461, (according to *Pighius*.)

|| *Appian. apud Fulv. Ursin.*

Year of " *that, if the Great Alexander had dared to contend in arms with Us, he*
 R O M E " *would not now be styled THE INVINCIBLE, but by his death or flight have*
 cccclxxiii. " *added new Lustre to the Roman Glory? An idle tale! vain and empty*
 Bef. J. C. " *boasting! Heroes indeed! you that are afraid of the Gæonians * and*
 Two " *Molossians, ever the prey of the Macedonians! you, that are trembling*
 hundred " *at the name of Pyrrhus, an assiduous humble courtier of one of Alex-*
 seventy- " *ander's life-guards! a vagabond in Italy, come hither not so much to*
 nine. " *succour the Italick Greeks, as to seek a shelter from his enemies at*
 172d " *home! And yet this mighty man, this Pyrrhus, it seems, is to con-*
 Consul- " *quer Italy; he is to subdue all Italy to Us with those very forces that*
 ship. " *were not able to preserve to Him a small portion of Macedonia! No,*
 * People " *Romans, suffer not his arrogance to escape unpunished; if you conde-*
 of Epirus. " *scend to treat with him, your glory is at an end; Pyrrhus will himself*
 " *despise you; his allies will insult you as a nation easy to be terrified;*
 " *and one dishonourable peace will involve you in a hundred wars."*

Plut. ibid. *Appius, by these and some other words to the like effect, so awakened*
 P. 395. *the Roman spirit in the Senators, that without further debate they unani-*
mously passed a decree, instantly to dismiss the Ambassador with this an-
swer, That the Romans would enter into no Treaty with King Pyrrhus so
long as he continued in Italy; but with all their strength would pursue the war
against him, though he should vanquish a thousand Lævinus's.

Cyneas left Rome the same day, and returned to Tarentum. It is said, that,
 when Pyrrhus asked him his opinion of the Roman City and Senate, he
 Plut. ibid answered, that ROME was a TEMPLE, and the SENATE an ASSEMBLY OF
 Flor. B 1. KINGS. His account of what he had observed greatly increased the
 c. 18. King's admiration of the Romans, but, finding that there was no hope of
 peace, he made all possible preparations for the next campaign.

C H A P. XXVII.

§. I. *The Romans come to a second battle with King Pyrrhus. Pyrrhus re-*
tires to Tarentum, and the Consuls into winter-quarters. §. II. *The*
Carthaginians send a fleet to the assistance of the Romans against Pyrrhus.
The Senate refuse the assistance offered. §. III. *The Romans and Epirots*
having again taken the field, the Consuls give the king notice of the trea-
chery of his Physician, who had offered to poison him for a reward. Pyr-
rhus once more sends Cyneas to Rome with proposals of peace, but to no
effect. §. IV. *Pyrrhus passes with his army into SICILY.*

Y. of R. §. I. **I**N the mean time the Republick chose new Consuls, P. Sulpicius
 474. Saverrio and P. Decius Mus, (whose father and grand-father
 Bef. J. C. were both famous for their Devotements.) The two Generals joined
 278. their armies, and marched together into Apulia, where they found Pyr-
 173d rhus incamped near a little town called Asculum, and where they in-
 Consul- trenching themselves in a plain at the foot of the Apennines. This plain
 ship. was divided by a large deep stream, which likewise separated the two
 Zonaras. camps. For some time the Romans and Epirots seemed to stand in awe
 B. 8. of

of each other. The latter had entertained the foolish belief, that the Year of
Decii transmitted from father to son some unaccountable art of Necro- R O M E
 mancy, by which they secured the victory to their side, whenever they cccclxxiv
 lost their lives in battle. *Pyrrhus* endeavoured to destroy this dangerous Bef. J. C.
 prepossession among his soldiers; and not only so, but he sent a message Two
 to *Decius*, That, if he attempted to devote himself, he would find the hundred
 upon their guard, who would take him alive, and make him suffer the most seventy-
 cruel kind of death after the battle. To this message the *Consuls* re- eight.
 turned the following answer: *Pyrrhus* is not formidable enough to reduce 173d
 us to Devotements. To shew how little we fear him, we offer him his choice: Consul-
 Let him pass the river unmolested, or suffer us to do so, and we shall then see ship.
 which of us has the most need of extraordinary methods to gain the victory.
Pyrrhus chose to let the Romans pass the river. The Historians are not
 agreed concerning the circumstances of the battle of *Asculum*, nor the
 success of it, and so to make two battles of it. The Romans had prepa-
 red, against the Elephants, armed Chariots filled with soldiers, who were Zonaras
 to throw fire-brands and other combustible matter against those huge B. 8.
 beasts and the Towers on their backs. It is certain, that *Pyrrhus* was
 dangerously wounded in the action, and that the *Consul Decius* lost his
 life; but whether in fighting, or by a voluntary Devotement in imitation
 of his father and grandfather, as *Cicero* thinks, is not known. Fifteen Cicero, in
 thousand men, including the loss on both sides, were left dead upon the Tusc. B.
 field. *Pyrrhus* after the battle, making a march unperceived by the Ro- i. c. 37.
 mans, retired to *Tarentum*; whereupon the *Consul Sulpicius* led his troops Zonaras,
 into winter-quarters in *Apulia*. B. 8.

§. II AND now the Republick placed at the helm of her Government Y. of R.
 two men of the most distinguished merit, *C. Fabricius* * and *Q. Æmilius* || 475.
Papus. The Carthaginians at this time sent *Mago* with a fleet of 120 Bet. J. C.
 sail to assist the Romans against *Pyrrhus*, who, they heard, would make 277.
 a descent upon *Sicily*, after he had forced the Roman Republick into a 174th
 peace; for the *Syracusans* had invited him thither to protect them against Consul-
 the tyranny of the Carthaginians, who not long before had invaded their ship.
 country. *Mago*, coming to *Rome*, told the Senate, That the Carthagini- A second
 ans, full of concern to see the Romans attacked by King *Pyrrhus*, had sent a time.
 fleet to their assistance, that in a war with a foreign power they might have A 2d
 foreign aid. The Fathers returned a compliment of thanks for the kind Justin, B.
 offer, but would by no means accept it. However, they entered into a Polyb. B.
 new treaty with the Carthaginians, in which it was stipulated, that the 3. c. 25.
 Romans should furnish Troops to assist the Carthaginian Republick, in case Liv.
Pyrrhus attacked it; and that the Carthaginians should assist the Romans, Epit. 13.
 when desired, with their fleet. After this *Mago* failed to *Tarentum*, where Justin, B.
 he had a conference with the King of *Epirus*. Finding that his intention 18. c. 2.
 was to pass very soon into *Sicily*, he, in order to prevent it, sailed with
 his fleet into the *Streights* between that Island and *Italy*, under pretence of
 besieging *Rhegium*. This obliged *Pyrrhus* to continue at *Tarentum*, and Diod. in
 carry on the war for some time longer against the Romans. Eclog. B.

Year of §. III. WHEN the spring was sufficiently advanced, the *Consuls*
 R O M E marched their troops into the territory of *Tarentum*, and *Pyrrhus* car-
 cccclxxv. and incamped within sight of them; but the high opinion he had of
 Bef. J. C. *Fabricius* made him avoid a battle. While the two armies were watching
 Two each other, *Fabricius* § received a letter from *Nicias*, the King's principal
 hundred Physician, offering to take off his master by poison, and so end the war
 seventy- without farther hazard to the *Romans*, provided he might have a reward
 seven. proportionable to the greatness of his service. *Fabricius* detesting the
 174th villainy of the Physician, and finding his Collegue of the same sentiment,
 Consul- they immediately dispatched the following letter to the King: C. FA-
 ship. BRICIUS and Q. ÆMILIUS, *Consuls*, to King PYRRHUS, *Health*. You
 Plut Life of Pyrrh. have made an unhappy choice both of your friends and of your enemies.
 p. 396. When you have read the letter sent us by one of your own people, you will
 see that you make war with good and honest men, while you trust and pro-
 mote villains. We give you this notice of your danger, not for your sake,
 nor to make our court to you, but to avoid the calumny which might be
 brought upon us by your death, as if, for want of strength or courage to over-
 come you, we had recourse to treachery. *Pyrrhus*, upon receipt of this
 letter, is said to have cried out, *This is that Fabricius, whom it is harder*
Eutropius *to turn aside from the ways of justice and honour, than to divert the sun*
 B. 2. c. 14. *from its course*; and, in acknowledgment of the benefit, he immediately
 set all the *Roman* prisoners free without ransom. *Rome* was however too
 generous to accept a present from an enemy, much less a reward for not
 consenting to an execrable deed. In return therefore she released an equal
 Plut. in number of *Samnite* and *Tarentine* prisoners. But though *Pyrrhus*, more
 Pyrrhus, ardent than ever for a peace, dispatched *Cyneas* once more to *Rome*, to
 P. 396. try the force of his eloquence and presents, this able minister had
 no better success than before; the *Senators* were steady in their resolution
 to enter into no treaty with the King, till he had withdrawn his troops
 out of *Italy*.

§. IV. IT has been already said, that the *Syracusians* had invited *Pyrrhus*
 into their island to assist them against the *Carthaginians*. The King laid
 Plut. p. hold of this pretext to quit the war against the *Romans*, in which he had
 397. now but little hope of success, having in the last action lost his best
 Troops and his bravest Commanders. Besides, the *Sicilian* expedition
 was a new enterprise, and therefore very agreeable to the natural in-
 constancy of his spirit. But just at this time he received intelligence,
 that *Ptolomy Ceraunus* King of *Macedon* was dead, and that the *Mace-*
donians wanted a King to guard them against an inundation of *Barbari-*
ans. This news kept him some time in suspense, and he pleasantly com-
 plained of fortune for loading him with too many favours at once.
Macedon had formerly been in his possession, and he wished to be master
 of it again; but as *Sicily* would open him a passage into *Africa*, and

§ This story is differently related by the Historians, as to the circumstances, but they all agree in the substance.

conduct

conduct him to a more ample harvest of glory, he determined at length to that expedition. In consequence of this resolution, he sent his faithful *Cyneas* before him to treat with the cities there, and give them assurances of his speedy arrival. Not long after, leaving in *Tarentum*, under the command of *Milo*, a strong garrison, sufficient to keep the much discontented inhabitants in subjection, he set sail from thence with thirty thousand foot and two thousand five hundred horse, on board a fleet of two hundred ships. His departure proved fatal to the enemies of *Rome*. *Fabritius* fell upon the united *Bruttians*, *Lucanians*, *Tarentines*, and *Samnites*, defeated them, drove them out of the field, and laid waste their countries.

Year of ROME
ccclxxv.
Bef. J. C.
Two hundred
seventy-seven.
174th
Consul-
ship.
Zonaras,
B. 8.

C H A P. XXVIII.

§. I. *The state of Sicily at the time of Pyrrhus's arrival there. He makes rapid and extensive conquests in the island.* §. II. *The Romans suffer a shameful defeat from the Samnites.* §. III. *But, the next year, carrying on the war with success against the Samnites, Lucanians, and Brutians, these nations send to intreat Pyrrhus to return to their assistance. His fleet, in its return to Italy, is attacked by the Carthaginian fleet. After his landing he suffers a considerable loss of men. He plunders the Temple of Proserpine.* §. IV. *The Romans under the conduct of Curius Dentatus totally defeat the forces of Pyrrhus.* §. V. *Who, leaving a strong garrison in Tarentum, embarks for Epirus.*

§. I. **W**HEN *Pyrrhus* arrived in *Sicily*, this Island was almost wholly possessed by foreigners of three different nations, *Italians*, *Carthaginians*, and *Greeks*, who had settled there at different times. *Messina*, *Lilybaeum*, and *Syracuse*, were the capitals of the three dominions there established. The *Mamertines*, from *Mamertum*, in *Campania*, had possessed themselves of the first (much in the same manner as the perfidious *Legion*, who followed their example, got possession of *Rhegium*;) the *Carthaginians* were masters of the second; and the third was governed by two tyrans, whom common interest had united, after a civil war, to call in the King of *Etruria* to assist them against the growing power of the formidable *African Republick*.

Diod. Sic.
in Ecl. 21.
Polyb. B.
1. c. 7.

Pyrrhus, soon after his arrival, deprived the *Carthaginians* of all their conquests in *Sicily*, except *Lilybaeum*. He also attacked the *Mamertines*, and, having defeated them in a pitched battle, reduced them to their city of *Messina* only; after which he counted so much on the reduction of the whole Island, that he caused one of his younger sons (whom he had by a daughter of King *Agathocles*) to be styled King of *Sicily*, purposing to make the other King of *Italy*, which he now also looked upon as a certain conquest.

Y. of R.
476.
Bef. J. C.
276.
175th
Consul-
ship.
Justin, B.
23. c. 3.

Year of R O M E cccclxxvi
 Def. J. C. Two hundred seventy-six.
 175th Consulship.
 Cicero, de Orat. B. 2. c. 66.
 * A 2d time.
 † A 2d time.
 Zonaras, B. 8.
 Frontini Stat. B. 3. c. 6.
 Zonaras, B. 8.
 Appian. apud Vales.
 * A 2d time.
 Orof B. 4.
 Euseb. & Pausan. B. 4.

§. II. IN the mean time the *Centuries* at *Rome* proceeded to the choic of new *Consuls*. *Fabricius* presided in the *Comitia*, and the respect he acquired by his virtue was such, that it made him master of the elections. Every body therefore was astonished to see him vote and influence the assembly in favour of *Cornelius Ruffinus*, a man extremely covetous and self-interested. *Fabricius* hated him thoroughly, yet promoted his election, because of the dangerous situation of affairs, and because he knew him to be a much abler soldier than any of his competitors. And these reasons were implied in the short answer he made to *Ruffinus's* compliment of thanks; *I deserve no thanks*, said he, *for chusing rather to be plundered than sold*. The Collegue given to *Ruffinus** was *C. Junius † Brutus*, and they both turned their forces against *Samnium*. The *Samnites*, being too weak to sustain the attacks of the two *Consular* armies, fled to their mountains, and there intrenched themselves so strongly, that it was no easy matter to force them. The *Romans* nevertheless attempted it, and were punished for their rashness; many of them were killed, and a great number taken prisoners, and loaded with irons. The *Consuls*, at length ashamed of their enterprise, threw the blame on each other, and separated; *Brutus* continued in *Samnium*, while *Ruffinus* entered the territory of the *Lucanians* and *Bruttians*. These nations continued steady in their adherence to *Pyrrhus* and the *Tarentines*. *Ruffinus* therefore not only laid their country waste with fire and sword, but formed a design upon *Croton*, a considerable city belonging to the *Bruttians*, and situated on the borders of the *Ionian* sea, at a little distance from Cape *Lacinium*. He found this place too well defended to be carried by force; for *Milo*, having notice of his design, had sent a reinforcement of *Epirots* to the garrison, and the command of one *Nicomachus*. However, the *Consul* took it by stratagem. Having been repulsed by the besieged, who made a sally, he exaggerated the loss he had sustained in the action, and employed two pretended deserters to publish, one, that he was going to retire into the country of the *Locrenses*; the other, that he was actually gone, and had marched off in a precipitate manner. *Nicomachus*, deceived by these reports, and by the *Consul's* decamping, hastened with his troops to relieve *Locris*, which he imagined the *Romans* intended to besiege. *Ruffinus* took the advantage of his absence, returned with all expedition, and, by the help of a fog, got into the place almost before the inhabitants who were in perfect security discovered him; and not only so, but he defeated *Nicomachus* also in the field, who, when he found himself cheated, would have led back his detachment to *Tarentum*. *Locris* likewise soon after surrendered to the *Romans*, the inhabitants having first massacred the Governor and Garrison that *Pyrrhus* had left in it. [The *Capitoline Marbles* ascribe all these exploits to the *Consul Brutus*.]

§. III. IN the following *Consulship* of *Q. Fabius * Gurges* and *C. Genucius*, *Rome* was afflicted with a strange sort of Plague, which chiefly affected women with child and breeding cattle. To put an end to this calamity, an unfortunate *Vestal* was buried alive; and *Ruffinus* was created

Dictator,

Dictator, to drive a nail into the wall of *Jupiter's* Temple. In the mean Year of
time the sickness did not hinder the *Romans* from continuing the war. ROM E
Fabius by repeated victories reduced the *Samnites*, *Lucanians*, and *Brut-* cccclxxvii.
tians so low that they could no longer keep the field without *Pyrrhus*, and Bef. J. C.
they therefore sent Ambassadors to him to intreat him to return, and put Two
himself again at their head. hundred
seventy-
five.

The face of *Pyrrhus's* affairs in *Sicily* was now much changed. At
his first arrival he gained the hearts of the *Sicilians*, by his insinuating af- 176th
fable behaviour; but, being afterwards elated with success, his mild Conful-
government changed into an absolute tyranny. He treated cruelly those ship.
very men who had been chiefly instrumental to his good fortune. He Justin. B.
excluded the natives from the Magistracies, bestowing them on his Guards 23. c. 3.
and Courtiers, whose extortions and injustices were so grievous, that at Plut. Life
length the cities entered into leagues, some with the *Carthaginians*, and o- of Pyrr-
thers with the *Mamertines*, to expel him the island. The *African* Republick rhus, p.
had also sent a powerful army into *Sicily* to recover her former conquests. 398.
This being the situation of the King's affairs when the Ambassadors arrived, Ha in
he was not a little pleased to have to honourable a pretence to leave a coun- excerptis
try, where he was no longer safe. At his departure he is reported à Valesio.
to have turned his eyes back upon the island, and to have said to those who Justin. B.
were near him, *What a noble field are we leaving for the Carthaginians* 23. c. 3.
and Romans to fight in! In his passage the *Carthaginian* fleet attacked Plut. Life
him, sunk seventy of his vessels, and dispersed all the rest of his two of Pyrrh.
hundred sail, except twelve ships, with which he escaped to *Italy*. He p. 398.
landed near *Rhegium*; and when he had there collected the scattered re- Appian in
mains of his forces, which had been driven on different parts of the coast, excerptis
he marched towards *Tarentum*. à Valesio.
Plut. Life
of Pyrrh.
p. 399.

The *Mamertines*, upon the first report of his intended departure from
Sicily, had detached 10,000 men to *Rhegium*, to molest him after his land-
ing; and these, lying in ambush in woods and behind rocks, attacked the
rear-guard of his army unexpectedly, and made great slaughter. *Pyrrhus*,
on this occasion, signally displayed his heroic bravery and surprising strength.
In the beginning of the action he received a wound in the head, which
obliged him to retire out of the battle; but, returning to it again, he is
said with one stroke of his sabre to have cleft a *Mamertine* to the waist,
who defied him to single combat. This action so astonished the enemy,
that they ceased the fight, and the King continued his march towards Zonar.
Tarentum. It was necessary for him to pass through the territory of the B. 8.
Locrenses, who had a little before massacred the garrison he had left in
Locris. He not only exercised all sorts of cruelties on this people, but
plundered the Temple of *Proserpine*, to supply the wants of his army. The
great treasure which he found there he put on board his fleet to be carried
to *Tarentum* by sea, but the ships were all dashed against rocks, by a tem-
pest, and the mariners lost. The historians relate, that *Pyrrhus* now re-
pent of his sacrilege; and, as the sea had thrown the greatest part of the
treasure upon the shore, he caused it to be gathered up and replaced in the
Temple

Dionapud
Valesium.

Val Max.
B. 1. c. 1.

Year of Temple with great reverence; and not only so, but he put to death
R O M E those who had counselled him to rob the Temple.

ccclxxviii. His army, when he arrived at *Tarentum*, consisted only of about ^{two} ~~one~~
Bef. J. C. thousand foot and three thousand horse.

Two hundred §. IV. BEFORE *Pyrrhus* was in a condition to renew the war,
seventy-four. *Rome* changed her *Consuls*; and the famous *Curius Dentatus* was now
177th raised (a second time) to that dignity, with *L. Cornelius Lentulus*. Their
Conf- first business was to raise two armies, which might be sufficient to make
ship. head against the King of *Epirus* with his numerous allies. But, when
Appian. *Curius* would have begun to form the *Legions*, he found that the *Roman*
apud Val- youth, from some unaccountable caprice, or perhaps because their
lesiunf. spirits were depressed by the late contagious distemper, refused to enlist
Val. Max. themselves. Upon this he assembled the *Tribes*, and put all their names
B. 6. c. 3. into an urn. The first drawn was the *Pollian Tribe*; and the man of this
Florus, *Tribe*, whose name came first up, being an audacious young fellow, and
Epit. 14. refusing to list, *Curius* ordered his effects to be sold, and, upon his ap-
pearing to the *Tribunes*, he told the man too, saying, *The Commonwealth*
stood in no need of such members as refused obedience. The fellow's cause be-
ing too bad, the *Tribunes* did not think fit for their honour to assist him;
and from this time if any *Roman* refused to list himself in a regular muster,
when commanded, it became a custom to make a slave of him.

So wholesome an instance of severity had its due effect; and two con-
siderable armies were raised without further opposition. *Lentulus* led one
Plut. in into *Lucania*, while *Curius* entered *Samnium* with the other. *Pyrrhus*
Pyrrh. p. to make head against both, was obliged to divide his forces, which
399. were now become very considerable; and, esteeming *Curius* the more
formidable of the two *Roman* Generals, he marched himself against him
with the choice of his *Epirots* and of his Elephants. And though the *Consul*
had posted himself very advantageously near *Beneventum*, in a place full
Frontin. of hollow ways, rocks, and woods, where the *Græcian Phalanx* could not
B. 2. c. 1. act with all its strength; yet *Pyrrhus*, who found it necessary by some
Plut. in new exploit to confirm his allies, who were much discontented with
Pyrrh. p. him, made all possible haste to attack the *Romans* in their camp. He
399. marched by night in hopes to surprise them; but passing through cer-
tain woods his lights failed him, and he lost his way; and at the
break of day his approach was discovered by the *Romans* as he came
down the hills that bordered the *Taurasian Fields*. *Curius* sallied out of
his camp, with a detachment of his *Legionaries*, and fell upon the King's
van-guard with such fury, that he put them to flight, killed a great num-
ber of them, and took some Elephants. This success encouraged *Curius*
to descend into the plain, and try a pitched battle with the enemy. One
of his wings had the advantage in the beginning of the battle, but the
other was overborne by the Elephants, and driven back to the intrench-
ments; but then, the *Consul* sending for a body of troops which he had
left to guard his camp, these so plied the huge beasts with lighted torches,
that they ran back upon the *Epirots*, bearing down and breaking all
their

their ranks, so that the *Romans* obtained a complete victory. The King is said to have lost in this action 23000 men. His army, according to *Orb. As.* had consisted of 80000 Foot and 6000 Horse. Year of R O M E cccclxxviii. Ref. J. C.

Pyrrhus's camp, being also taken, proved afterwards of great service to the *Romans*; for they not only admired the form of it, but made it their model for the future. Hitherto a large inclosure within a rampart and a ditch had served them for a camp, in which their tents were pitched in a disorderly manner; but now they got great light into the art of incamping, which by gradual improvements they at length carried to the highest perfection. Two hundred seventy-four.

§. V. THE King of *Epirus*, who after his defeat had retired to *Tarentum* with a small body of Horse, resolved to leave *Italy* as soon as possible; but he concealed his design, and endeavoured to keep up the spirits of his allies by giving them hopes of succour from *Greece*. In reality he sent letters thither to several courts, demanding men and money; but, for want of favourable answers, forged such as might please those he would deceive. When he could no longer conceal his resolution of going, the method he took to save his honour, at least for some time, was to pretend to be suddenly transported with anger against his friends for their dilatoriness in sending him the succours he required. Then, said he, *I must go myself and fetch them.* He left a strong garrison in *Tarentum* under the command of *Milo*; and, to engage him to be faithful, one author tells us, that he made him at his departure a very extraordinary present, a seat covered with the skin of the wretch *Nicias*, that Physician who had offered *Fabricius* to poison the King his master. After these disguises and precautions he returned into *Epirus* with only 8000 Foot and 500 Horse. 177th Consulship. Eutrop. B. 2. p. 14. Justin. B. 4. c. 1. Polyænus Stratag. B. 8. Zon. B. 8. Plut in Pyrrh. p. 400.

C H A P. XXIX.

§. I. *The triumph of Curius for his victory. His disinterestedness.* §. II. *He is continued for another year in the Consulate. He forces the Samnites and Ducanians to retire for refuge to their mountains. The next year, the Consul Claudius defeats them in a pitched battle.* §. III. *Ptolemy Philadelphus sends an Embassy to Rome, to ask an alliance with the Republic. The Romans send Ambassadors into Ægypt.* §. IV. *Certain advice comes that Pyrrhus is dead. [The manner of his death is related.] The SAMNITES, in despair, put all to the hazard of a battle, are defeated, and thereby totally subdued, after a war which had lasted 72 years. The BRUTTIANS and DUCANIANS submit soon after; and Tarentum is surrendered into the hands of the Romans; after which the Carthaginians, whose fleet lay before Tarentum, sail away from the coast.* §. V. *The Romans punish the perfidious Campanian Legion.* §. VI. *Silver Money is coined at Rome for the first time.* §. VII. *Picenum is intirely subdued, and the SABINES are made intirely Roman, by being admitted to the right of suffrage in the Roman Comitia.* §. VIII. *A war is commenced with the Samnites;*

lentines; which nation, together with the Sarcinates in Umbria, being intirel subdued, Rome remains mistress of all the Countries in ITALY from the remotest part of Hetruria to the Ionian Sea, and from the Tyrrhenian Sea to the Adriatick. §. IX. The Republick is courted by foreign States. A law is passed to prevent insults on foreign Ambassadors. The Roman^{ly} regulate their Finances.

Year of
R O M E
ccclxxviii.
Bef. J. C.
Two
hundred
seventy-
four.

177th
Consul-
ship.
Florus, B.
1. c. 18.
Pliny, B.
18. c. 3.
Val. Max.
B. 4. c. 3.

§. I. **A**ND now the Triumphal Proceſſion of *Curius*, for his victory over *Pyrrhus*, drew all the attention of the People at *Rome*. The *Romans* had never before ſeen ſo much magnificence, ſuch quantities of rich ſpoil; Veſſels of Gold, Purple Carpets, Statues, Pictures, and, in ſhort, all the fineries of the *Greek* Cities. *Rome*, ſays *Florus*, could hardly contain her victory. And what raiſed the admiration of the People more than all were the Elephants, thoſe huge animals with Towers on their backs. The Senate, to reward the victor, impowered him to appropriate to himſelf fifty acres of the Conquered Lands; but he declined this favour, having firmly reſolved never to poſſeſs above ſeven acres, an Eſtate which he thought ſufficient for the ſupport of any honeſt man.

The Triumph of *Curius* was followed by that of his Collegue *Lentulus*, who had made a ſucceſſful campaign in *Lucania*, and taken *Caudium* from the *Samnites*.

Plut. Life
of Sylla.
Val. Max.
B. 2. c. 9.

Y. of R.
479.
Bef. J. C.
273.

178th
Consul-
ſhip.
Zonaras,
B. 8.

Y. of R.
480.
Bef. J. C.
272.

179th
Consul-
ſhip.
* A 2d
time.
Faſt. Ca-
pit.

This happy Conſulſhip ended with a *Cenſus* and *Lustrum*. The auſtere *Fabricius*, and his old Collegue in the Conſulſhip, *Amilius Papus*, being *Cenſors* this year, they made a new liſt of Senators, and excluded all thoſe of the former liſt who led diſſolute lives; nay, *Cornelius Tappianus*, who had been *Conſul* and *Dictator*, was ſtruck out of the roll, only for having ten pounds weight of Silver Plate for his table. The number of *Roman* Citizens fit to bear arms appeared to be 271,224.

§. II. THE *Romans*, being under the apprehenſion that *Pyrrhus* might ſoon appear again in *Italy*, continued *Curius* in the Conſulate for the next year, giving him for a Collegue *Cornelius Merenda*. In the mean time the *Tarentines*, who had hated *Pyrrhus* ever ſince his firſt coming among them, began now to deſpiſe him. Placing one *Nicon* at their head, they forced *Milo* and his Troops to retire into the Citadel, and confine themſelves there. The belief that by theſe diviſions *Tarentum* would ruin herſelf, and be forced in the end to ſurrender to the *Romans*, was what probably made *Curius* neglect to beſiege it. He turned his forces againſt the *Samnites* and *Lucanians*, who, not being able to keep the field, retired to their mountains. But in the following Conſulſhip of *C. Fabius Dorſa* and *C. Claudius Canina*, being encouraged, doubtleſs, by the emiſſaries from *Epirus*, who promiſed them that *Pyrrhus* (after the conqueſt of *Macedon*, which he had undertaken ſiſce his return home) would haſten to their aſſiſtance, they came down again into the plains to defend their Towns, and preſerve their harveſts. *Clandius* defeated them in a pitched battle, and preſerved the ſame aſcendant over them, which his predeceſſors had gained.

§. III.

§. III. THE reputation of the *Romans* being now spread into foreign countries by the successful war they had sustained for six years against *Pyrrhus*, *Ptolemy Philadelphus*, King of *Ægypt*, sent an Embassy to *Rome* to ask the friendship of the Republick, an honour which gave the *Romans* no small pleasure. Not to be out-done in civility, they sent away to *Ægypt* four ambassadors, chosen with the utmost circumspection by a Senate studious to preserve their reputation abroad intire. *Fabius Gurges* was at the head of the Embassy, and with him were joined three *Curule Ædiles*, two of them brothers of the *Fabian* family, and the third *Q. Ogulnius*. Their reception was magnificent, and *Ptolemy* at a splendid entertainment presented each of them with a Crown of Gold, which they received, because they were unwilling to disoblige him by a refusal; but they went the next morning and placed them on the heads of the King's Statues, that were erected in the publick parts of the city. The rich presents which the King offered them at their audience of leave they also accepted; but at their return to *Rome*, and before they went to the Senate, they deposited all these presents in the publick Treasury, desiring no reward but Glory for the services they did their country: However, the Senate and People ordered the *Quæstors* to restore to the Ambassadors what had been given them for their own use.

§. IV. WHETHER the *Romans* believed or not, that *Pyrrhus*, when he had conquered *Macedon*, would once more return into *Italy*, they took care to chuse such *Consuls* for the next year as should be able to cope with him, if he came. Their choice fell upon *L. Papirius Cursor* and *Sp. Carvilius*, who both of them had been raised to that eminent station before and had signalised themselves in it. These Generals, with two Consular armies, were already entered into the Territory of the *Samnites*, when an account came that *Pyrrhus* was dead. This inconstant Prince, when he had almost totally subdued *Macedon*, left that enterprise to undertake the protection and restoration of *Cleonymus* King of *Sparta*, who had been driven from his capital by the intrigues of his wife, and the ambition of his nephew. Such was the *Epirot's* pretence; but his real design was to make himself master of all *Peloponnesus*, by taking advantage of the divisions which had sprung up there. He marched into *Laconia*, and invested *Lacedæmon*, but soon after quitted that undertaking likewise to get possession of *Argos*, whither he was invited by one of the two factions into which that city was split. There he fell by the hand of a woman. The faction that favoured him having in the night admitted him into the Town by one of the gates, and the other faction having opened another gate to a body of *Macedonians* and *Spartans*, a bloody battle was fought, in which *Pyrrhus*, receiving a slight wound from a young *Argian*, would have revenged it by his death: But the mother of the young man, affrighted at her son's danger, which she beheld from the top of a house, took up a great tile, and with both her hands threw it at the King; who receiving the blow in the nape of his neck, of which it bruised the *Vertebræ*, fell senseless to the ground; and

Year of
R O M E
ccclxxx.
Bef. J. C.
Two
hundred
seventy-
two.
179th
Consul-
ship.
Eutrop.
B. 2. p.
15.
Zonaras.
B. 8.
Liv. Epit.
14.
Dion. in
excerpt.
Val. Max.
B. 4. c. 3.
Y. of R.
481.
Bef. J. C.
271.
180th
Consul-
ship.
Plut. Life
of Pyrr-
hus, p.
404, 405.
Justin, B.
25. c. 4.

Year of then *Zopyrus*, a *Macedonian*, who was the only person in the throng that
 R O M E knew him, severed his head from his body.

ccclxxxi The news of *Pyrrhus's* death threw the *Samnites* into despair; they
 Bef. J. C. now looked upon their liberty as gone, and, like men in such a situation
 Two hundred put all to the hazard of a single battle. *Florus* says, that the *Samnite*
 seventy- were so totally conquered, and the ruins of their Cities so ruined, that *Sam-*
 one. *nium* might in vain be fought for in *Samnium*. And thus ended this
 180th bloody war, which had lasted seventy-two years, and had procured the
 Consul- *Roman* Generals thirty-one Triumphs. The *Bruttians* and *Lucanians* soon
 ship. after submitted to the same yoke. *Tarentum* remained unpunished,
 Flor. B. 1. and thither therefore the *Consuls* marched and invested it. *Milo* still
 c. 16. possessed the Citadel. The *Tarentines* (as it is reasonably thought) had
 Orof. B. implored the assistance of the *Carthaginians*; for these lay with a fleet
 4. c. 3. before the Town, and pretended to have no design but against *Milo*
 Liv. Epit. and his *Epirots*. *Papirius*, being desirous to prevent the *Carthaginians*
 14. from getting any footing in *Italy*, signified privately to *Milo*, that, if he
 Zonaras, would surrender up the Citadel to him, he and his garrison should not
 B. 8. only have their lives spared, but be transported safe with their effects to
 Frontin. *Epirus*. *Milo* readily listened to this offer, and even did more than he
 Stratag. was asked. He undertook to put the City likewise into the *Consul's* hands.
 B. 3. c. 3. Having assembled the *Tarentines*, he persuaded them to depute him to the
Consul, promising to negotiate matters so well for them, that they should
 lose neither their lives nor their estates; and he made good his word.
 The *Romans*, being soon after admitted into the Town, did no violence to
 the inhabitants. As for the *Carthaginians*, when they found themselves
 disappointed, they retired with their fleet, leaving the *Romans* in a well
 grounded suspicion, that they had intended to seize a place which by right
 of Conquest belonged to *Rome*; and, though their manner of proceeding did
 not cause an open rupture, it produced a coldness at least between the two
 Republicks.

Fast. Ca- §. V. ALL the old enemies of *Rome*, the *Sabines*, *Volsi*, *Campan-*
 pit. *nians*, and *Uetrurians*, being subdued, and these, with the other nations
 newly conquered, being now become parts of one and the same State of
 which *Rome* was the capital, the Republick was at leisure to wipe off the
 dishonour thrown upon her by the perfidious *Campanian Legion*, formerly
 Polyb. B. sent to *Rhegium*. As soon therefore as *Quinctius Claudius* and *L. Genu-*
 1. c. 7. *cius Clepsina* were entered upon the *Consulship*, the latter was ordered to
 Y. of R. lead an army to that City and besiege it. The usurpers, to make a better
 482. defence, not only called to their assistance the *Mamertines* (who were
 Bef. J. C. themselves originally *Campanians*, and he had acted the same part at *Mes-*
 270. *sana* after the death of King *Agathocles*, which the other had done at
 181st *Rhegium*) but opened an *Asylum* for all the *Banditti* of the country.
 Consul- Their obstinacy being increased by this additional strength, the siege
 ship. proved a long one, and, provisions failing in the camp of the *Romans*,
 Zon. B. 8. *Genucius* was obliged to have recourse to *Hiero* King of *Syracuse*, a generous
 Prince, whose name will be often mentioned in the course of this histo-

xy. *Hiero* furnished the *Consul* not only with the corn he wanted, but with a reinforcement of some *Sicilian* Troops; and by the help of these succours the *Romans* took the town. Of about 4000 men, of which the guilty *Legion* had at first consisted, there remained now but 300 alive. These, though *Companians* by birth, having the privileges of *Roman Citizenship*, were sent prisoners to *Rome* to be there tried. The Senate condemned them all to be first beaten with rods, and then beheaded; and notwithstanding that one of the *Tribunes* made an opposition to this sentence, pretending that it belonged to the People alone to pronounce upon *Roman Citizens* in capital cases, the decree was executed, and they were put to death by fifty at a time in the *Forum Romanum*. By this execution the Republick cleared herself from the suspicion of having had any part in the treachery of the *Campanian Legion*. Those of the old inhabitants, who had escaped the cruelty of the usurpers, were re-inflated in the possession of their lands, liberties, and laws.

§. VI. DURING the following administration of the *Consuls C. Genucius* and *Cn. Cornelius*, the former obtained a victory over the *Sarcinates*, a people of *Umbria*, who were for the most part *Gauls*. This year was remarkable for nothing more, except the severity of the winter. The snow lay forty days upon the ground in the *Forum* of *Rome*, and was of a prodigious depth. The succeeding *Consuls*, *Q. Ogulnius Gallus* and *C. Fabius Pictor*, were ordered to undertake the reduction of the *Picentes* and *Salentines*, (the only nation in the East of *Italy* not yet subject to the Republick) but they were of a sudden called elsewhere, to extinguish a flame which a very small spark had kindled. One *Lollius*, by birth a *Sabinian*, had been delivered to the *Romans* by his countrymen, as a hostage for their fidelity. This man had, escaped from *Rome*, joined a company of rebels, seized a strong place in *Samnium*, and was committing robberies in all the country; he had drawn also the *Caricini*, who were either a people of *Samnium*, or in alliance with them, into his measures, making their City the magazine of his booty. The *Consuls* were therefore dispatched to lay siege to that place; and by the help of some deserters, who introduced the *Roman* Troops secretly into it, they made an easy conquest. The *Consuls* had no Triumph for their success in this war, because it was deemed a civil war; nevertheless, they signalised their victory by more lasting monuments.

To this time the *Romans* had never used any money in commerce, except pieces of Brass stamped with the figure of a Bull, a Ram, and a Boar; they had been too poor to coin Silver Money. But now after the conquest of *Samnium*, and the surrendry of *Tarentum*, the riches of the State being increased, and a great quantity of bars of silver (of no use to the Republick in that form) having been found among the treasures taken from *Lollius*, the *Consuls* thought it adviseable to coin the silver, and introduce it into commerce. The place appointed for the Mint was the Temple of *Juno Moneta*, from whence comes the word *Money*. The new species, instead of being stamped with the figures of animals, was made

Year of
R O M E.
ccclxxxiii.
Bef. J. C.
Two
hundred
seventy.

181st
Consul-
ship.
Polyb. B.
1. c. 7.
Val. Max.
B. 2. c. 7.
§. 15.
Polyb. B.
1. c. 7.

Y. of R.
483.
Bef. J. C.
269.

182d
Consul-
ship.
Fast. Ca-
pit.

Zon. & D.
Aug.
B. 3. de
Civ. Dei.
Y. of R.
484.
Bef. J. C.
268.

183d
Consul-
ship.
Eutrop.
B. 2. c. 10.
Zonaras,
B. 8.

Plin. B.
33. c. 3.

Suidas
under the
word
Μονηται.

Year of made to represent the exploits of the *Roman* Heroes, by ingenious hieroglyphicks; but so ænigmatically, that the invention of our antiquaries often put to the rack to explain them. Some of these pieces of silver money, being worth ten *Asses* of brass, were called *Denarii*, and marked with the numeral letter X; others, worth but five *Asses*, were called *Quinarii*, and were marked with the letter V. The *Sestertii*, which were worth but two *Asses* and a half, were distinguished by the letters HS or LLS*.

183d Consularship. Varr. de ling. Lat. B. 4. * Duo & Semis tertius. Y. of R. 485. Bef. J. C. 267.

§. VII. THE next year the new Consuls, *P. Sempronius Sophus* and *Appius Claudius Crassus* (son of the famous blind *Appius*, and the heir of his artfulness) entered *Picenum* jointly; but new commotions obliged the latter soon after to march thither. He laid siege to *Camerinum*, a town situated near the *Apennines* that separated *Umbria* from *Picenum*; and, when he had taken it, treated the inhabitants barbarously: He sold them for slaves, contrary to his agreement with them; put the purchase-money into the publick treasury, and seized their lands. The Republick, however, would not authorise so wicked a fraud. The Senate ordered the unhappy wretches to be sought out, granted them the privilege of *Roman Citizens*, assigned them a quarter upon Mount *Aventine* for an habitation, and allotted each of them as much land as he had lost in *Umbria*.

In the mean time *Sempronius Sophus* pursued the war against the *Picentes*. Just as he was going to engage with the enemy in a pitched battle, a sudden earthquake greatly terrified his soldiers, and damped their ardour for fighting; but he telling them, *That the earth shook only for fear of changing its masters*, and then vowing a Temple to the Goddess *Tellus*, they quickly recovered their courage, and fell upon the *Picentes* with the utmost intrepidity. The battle must have been exceedingly bloody; for, though the *Consul* gained the victory, he lost the greater part of his troops in the action. *Asculum*, the capital of *Picenum*, soon after surrendered, and the whole nation gave themselves to the *Romans*; an important increase of the dominion of the Republick, because this country alone was able to supply her armies with 360,000 soldiers.

To keep the newly-conquered nations in awe, the *Romans* at this time settled Colonies at *Ariminum* in the country of the *Picentes*, and at *Beneventum* in that of the *Samnites*; and at this time also the *Sabines*, whose right of Citizenship at *Rome* had hitherto extended only to the privilege of being incorporated in the *Legions*, instead of barely serving as auxiliaries, were admitted to the right of suffrage in the City, and thereby became intirely *Roman*.

Y. of R. 486. Bef. J. C. 266.

§. VIII. THE *Salentines*, whose chief Cities were *Hydruntum*, *Aletium*, and *Brundisium*, were now almost the only people in the eastern extremity of *Italy*, that remained unsubdued to the *Romans*. It was easy for the ambitious Republick to invent pretences to rob her neighbours of their liberty. The next year's Consuls, *L. Julius Libo* and *M. Atilius Regulus*, took *Brundisium*; but, as the brave *Salentines* disputed their country inch by inch, the two Generals were obliged to leave their conquest to be finished

185th Consularship. Flor. B. 1. c. 20.

finished by their successors. These were *Numerius Fabius* and *D. Junius* Year of
P. A., who, having first subdued the *Sarcinates* in *Umbria*, totally re- R O M E
 duced the *Salentines* (though they had brought the *Messapians* or *Iapygians* cccclxxxvii.
 into their quarrel.) The reduction of two nations in one campaign Bef. J. C.
 procured each Consul two Triumphs, a thing unheard of before in the Two
 Republick. hundred
 six: y- five.

Rome was now become mistress of all the different nations of *Italy*, 186th
 from the farthest part of *Hebruria* to the *Ionian Sea*, and from the *Tuscan* Cōsul-
 Sea cross the *Apennines* to the *Adriatick*. But these nations had not all the ship.
 same privileges, nor were upon the same footing in point of subjection. Fast. Ca-
 Some were so intirely subject to *Rome*, as to have no laws but what they pit.
 received, from thence; others retained their old customs and forms of
 government. Some were tributary, others barely allies, who were bound
 to furnish the *Roman* army with troops, and maintain them at their own
 expence. Some had the privileges of *Roman Citizenship*, and their soldiers
 were incorporated in the *Legions*; others had likewise a right of suffrage in
 the elections made by the *Centuries* in the *Campus Martius*. These differ-
 ent degrees of honour, privileges, and liberty, were founded in the differ-
 ent terms granted by the conquerors in their treaties with the vanquish-
 ed; and these honours and privileges were afterwards increased, according
 to the fidelity of the several cities and nations, and the services they did
 the Republick.

§. IX. AFTER the great increase of power and dominion which the
Romans acquired by their victories over *Pyrrhus* and his *Italian* allies,
 free Cities and whole Nations beyond the seas began to follow the ex-
 ample of the King of *Egypt*, and court the friendship of the Republick.
Apollonia, situated over-against *Brundisium*, was the first City of *Mace-*
don that sent Ambassadors, to desire her protection. These Ambassadors
 were received with honour by the Senate; but afterwards, upon some Liv.
 occasion not known, were insulted by *Fabricius* and *Apronius*, young Ro- Epit. 15.
 mans of great distinction, and at this time *Ediles*. So grievous a breach Val. Max.
 of the law of nations required satisfaction; nor did the Republick refuse B. 6. c. 6.
 it. The young men were condemned to be delivered up into the hands
 of the Ambassadors, in order to be transported to *Apollonia*, and there
 punished at the pleasure of the People. This was shewing the *Apollonians*
 all the Regard possible; and they, in their turn, shewed a prudent re-
 spect for the *Roman* Senate. *Fabius* and *Apronius* were hospitably re-
 ceived, and then sent back to *Rome*. And this memorable event gave
 rise to a law (which subsisted ever after) That, if any Citizen, of what Dig. Pa-
 quality soever, insulted an Ambassador, he should be delivered up to the injured rag. de
 nation. Legat.

And now the great affair of the Republick under the administration of
 the Consuls *Q. Fabius* * *Gurgæ* and *L. Mamilius Vitulus*, was to regulate • A third
 her Revenues. These revenues arose from the tributes each province was time.
 to pay; from the rents of certain arable and pasture lands, which the
 Republick reserved as her demesnes, whenever she divided any conquered
 lands

Year of lands among the Citizens; from the tenth of the produce of all lands
 R O M E dependent on her; and lastly from the imposts upon all merchandise im-
 ccclxxxviii ported into her dominions. It has been already observed, that four Offi-
 Bef. J. C. cers, with the title of *Quæstors*, had the charge of receiving and disburs-
 Two ing the Publick Moneys. *Valerius Poplicola*, soon after the birth of the
 hundred Republick, desiring to ease himself of the care of the Finances, had ap-
 sixty- pointed two: To these *Sempronius Atatinus*, in the year 333, being then
 four. *Military Tribune with Consular Authority*, had added two more, whose pe-
 187th cular business was to attend the *Consuls* in their expeditions, keep the
 Consul- military chest, pay the troops, and sell the spoils and prisoners taken from
 ship. the enemy. The *Quæstors* neither of the one nor of the other institution
 Cic. de. had any of the great badges of distinction annexed to their offices. They
 Orat. had neither *Curule Chairs*, nor *Liters*, nor *Apparitors*; nor could they
 pro Sext. refuse to appear before the *Prætor*, upon a summons from even the meanest
 & contra Rullum. of the Citizens. The only privileges they had, were those of assembling
 Sueton. the *Comitia* at *Rome*, and speaking to them from the *Rostra*, and haranguing
 the soldiers in the field.

The four *Quæstors* had been found to be hardly sufficient to go through
 the business belonging to them even before the late conquests; but now
 it was absolutely necessary to augment the number of these officers; and
 four new ones were therefore created with the title of *Provincial Quæstors*,
 to take charge of the four^a provinces into which the Republick had divided
 her conquests.

The

^a The seat or chief office of the first province was at *Ostia*, a maritime city near *Rome*. This *Quæstorship* reached, in all probability, from the head of the *Tiber* and the river *Arno*, to the mouth of the *Liris*; and comprehended *Ættruria*, *Latium*, *Sabinia*, *Umbria*, and, in short, all the coasts of the *Tuscan* sea, and all the lands between that sea and the *Apennines*. The seat of the second province was at *Cale*, in the delightful country of *Campania*, and it reached from the *Liris* to the *Gulph of Tarentum*. This province contained *Campania*, *Samnium*, *Lucania*, the country of the *Bruttii*, and *Oenotria*; and within it were many rich maritime cities. The third province reached from the *Apennines* to the shore of the *Adriatick* sea, and was called the *Gallick Quæstorship*. It contained the countries formerly conquered by the *Gauls*, especially the *Sennones*, from the river *Rubicon* to the *Æsis*. But, notwithstanding its name, it contained also *Pucenum*, the country of the *Fraxiani*, and all the other countries as far as *Apulia*. And, lastly, the fourth *Quæstorship*, of which we have not so distinct an account as of the other

three, could only comprehend *Apulia*, *Calabria*, and the territories of the *Salutines*, *Messapians*, and *Tarentines*. A fine province, if we consider the great number of its seaports, into which merchandises were imported from *Greece*, *Asia*, and *Africa*. For these four provinces *Rome* created four new *Quæstors*; and it was then settled, that all the eight *Quæstors* should for the future be chosen in *Comitia by Tribes*. After the elections, which were renewed every year, the eight *Quæstors* drew lots, in the presence of the People, to decide which should have the *Roman*, which the *Military*, and which the *Provincial Quæstorships*. The four *Provincial* ones were mostly desired by the ambitious before *Rome* had extended her conquests beyond *Italy*; but when she had brought the East and West into subjection to her, and great kingdoms were become so many provinces under her domination, the four *Italian* provinces were but little coveted by the *Quæstors*, who were multiplied, in proportion as the Republick enlarged her conquests. The *Proconsuls* and *Prætors*, that is to say, the Governors of those remote provinces,

The usual fortune of *Rome*, during any interval of tranquillity, did not fail to attend her at this time. A most dreadful Plague raged both in the City and in the Country. The *Sybilline* books, according to custom, were hereupon consulted; and it was there found, that some secret crimes had drawn down the wrath of Heaven upon the Republick. A vestal, named *Caparonia*, proved the unhappy victim, sacrificed to the prepossessions of the People. Being convicted of incontinency before the Tribunal of the *Pontifices*, they condemned her to be buried alive; and, though to avoid so cruel a death she strangled herself, the same ceremonies of interment were performed upon the dead body, as if she had been living.

Notwithstanding the havock made by the plague, the number of Citizens fit to bear arms appeared, by a *Census* taken this year, to be 292,224. Doubtless the *Sabines*, to whom the right of suffrage had been lately granted, must have been reckoned in this enumeration. *C. Marcius Rutilus*, one of the *Censors*, had on account of his extraordinary merit been elected, contrary to custom and his own earnest remonstrances, a second time to this office; and hence probably he acquired the surname of *Censorinus*, which was perpetuated in his family. *Plutarch* tells us, that, to put a stop to so dangerous a practice, *Marcius* got a law passed, forbidding any person to hold the *Censorship* a second time.

The present *Consuls* were still at *Rome*, wholly employed in civil affairs, when on a sudden a war sprung up in the very bowels of the Republick. *Volturni*, a considerable City of *Hebruria*, had been by Treaty allowed to enjoy her own laws and form of government; but the *Volturnienses* had since fallen into sloth and luxury, neglected their laws, despised the publick offices, and suffered their Freed-men to usurp them. These Freed-men by degrees had made themselves tyrants in the little Republick; and it was their whole business to mortify their old masters. They not only with all licentiousness invaded their wives, but passed a law, that no Virgin daughter of a man free-born should be married to a husband of the like condition, till she had submitted to the passion of a freed-man. And to all these insolences they added Banishments and Proscriptions of the most worthy Citizens. The *Volturnienses*, not being able to help themselves, sent Deputies privately to implore the protection of the Senate of *Rome*. But, though the negociation was thought to be carried on with perfect secrecy, the Freed-men got notice of it, and put the Deputies to death at their return; and when *Fabius Gurgus*, who undertook with a

vinces, had each his *Quæstor*, or Superintendant of the *Finances*, for his Government: and these Governments being large and rich, and far out of the Senate's sight, the *Quæstors* were fond of going thither, where they could raise more money, and were more honoured and respected; for here they wore the *Prætecta*, and were attended by *Lictors*, as appeared from *Cic.*

3d Orat. contra *Verr.* For all these reasons, when the *Quæstors* drew lots for their provinces, the man to whom any of the *Italian* ones fell became the jest of the people. He goes to the waters, said they; meaning, that he was going to enjoy his repose near *Rome*, much as those *Romans* did, who went to *Baia* or *Puteoli* for the waters. *C. & R.*

Year of
R O M E
ccclxxxviii
Bef. J. C.
Two
hundred,
sixty-
four.
187th
Consul-
ship.
Orof. B. 4.
c. 5.
Liv. Epit.
16.
Eutrop.
B. 2. c. 18.
Val. Max.
B. 4. c. 1.
Plut. Life
of Corio-
lanus.
Zon. B. 3.
Flor. B. 1.
c. 21.
Author,
de Viis
Illustr. c.
36.
Val. Max.
B. 9. c. 1.

Year of small army of volunteers to chastise them, came near their City, he found
 R O M E them upon their guard; nay, the Freed-men ventured to face him in the
 cccclxxviii. field, and gave him battle. The *Consul* put them to the rout; but, as he
 Bef. J. C. was entering the Town with the run-aways, he received a mortal wound
 Two from an unknown hand, and then the *Romans* were repulsed. After this
 hundred Decius Mus, who had been Lieutenant to *Fabius*, besieged the place in
 sixty- form; and in the year following it surrendered to the *Consul Fulvius Flac-*
 four. *cus*. The Freed-men, who had usurped the magistracies, and acted the
 187th whole scene of villainy, were all put to death; the City was razed, and
 Consul; the Inhabitants transplanted to another.
 Ship.

These last particulars are here mentioned a little before their time, that they may not hereafter interrupt the relation of more important matters; the causes and commencement of the FIRST PUNIC or CAR-
 THAGINIAN War.



